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Annual Report of the Maryland Judiciary

1992-1993

Annual Report of the Maryland Judiciary 1992-1993

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The Annual Report of the Maryland Judiciary, 1992-1993
features photographs of the
First Judicial Circuit Courthouses:
Dorchester County
Somerset County
Wicomico County
Worcester County

Report prepared by the
Administrative Office of the Courts
Circuit Court Management Services

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Letter of Transmittal

ADMINISTRATIVE OFFICE OF THE COURTS

COURTS OF APPEAL BUILDING
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STATE COURT ADMINISTRATOR
GEORGE B. RIGGIN, JR.

DEPUTY STATE COURT ADMINISTRATOR
FRANK BROCCOLINA

December 1, 1993

This is the seventeenth *Annual Report of the Maryland Judiciary* which includes the thirty-eighth Annual Report of the Administrative Office of the Courts. The report covers Fiscal Year 1993 beginning July 1, 1992 and ending June 30, 1993.

Fiscal Year 1993 has been a time of financial transition as the State of Maryland began to see daylight after several years of severe fiscal problems. Although the economy is still very sluggish, it appears that the economic trend is upward. This shift is very encouraging for the Judiciary since we are heavily dependent on adequate funding to provide effective court services to the public. Unfortunately, litigation has generally increased during the recession, placing a great strain on available judicial resources. It is hoped that this report will provide a ready source of information to better understand Maryland's court structure and operations. The Administrative Office of the Courts is indebted to clerks of the appellate courts, the circuit courts of the counties and Baltimore City, and to clerks of the District Court of Maryland for their invaluable assistance in providing the statistics on which most of this report is based. My thanks to them and to all those whose talents contributed to the preparation of this publication.

George B. Riggin, Jr.
State Court Administrator

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Introduction

Robert C. Murphy
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
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ANNAPOLIS, MARYLAND 21401-1699

December 1, 1993

The seventeenth *Annual Report of the Maryland Judiciary* covers fiscal year 1993, beginning July 1, 1992 and ending June 30, 1993.

These Annual Reports, year after year, provide a public accounting of the vitally important work of the Judicial Branch of Government. They reflect all too clearly the ever-escalating volume of judicial business performed by and through our courts, as well as the difficulties and complexities encountered in the administration of Maryland's four-tiered court system — the Court of Appeals of Maryland, the intermediate appellate court (the Court of Special Appeals), the Circuit Courts within each of our counties and Baltimore City, and the unified District Court of Maryland. The judges of these courts, together with their supporting nonjudicial personnel, have discharged their duties with the utmost faith and diligence and are most deserving of wide public acclaim.

The work of Maryland's 240 judges, all of whom have dedicated themselves to the fair administration of justice, is tedious, frequently emotionally draining, and always mentally exhausting. Our State is fortunate, indeed, with the high caliber of the members of Maryland's judicial family, both judges and staff personnel.

The Legislative Branch of Government, which appropriates funds for the courts, has been as generous in its support of the Judiciary as these difficult economic times have permitted. The members of that branch of government understand the importance of the judicial function and the need for funds sufficient to enable the Judiciary to operate the courts at a level which assures our ability, and the public confidence in that ability, to keep the judicial ship-of-state afloat.

In the 1993 Session of the General Assembly of Maryland a Bill was enacted which required the Judiciary to focus on the feasibility of establishing a Family Division within each Circuit Court in Maryland. The Bill urges that family-type cases, e.g., divorce, marital property distribution, custody, visitation, juvenile, domestic violence, and other like cases, be given equal treatment with all other categories of cases. The Bill suggests the wisdom of a cadre of judges designated to serve on these courts exclusively for a fixed period of time, these judges to have special experience in family law matters and the temperament needed to adjudicate these cases with patience and understanding. A report is mandated to be made to the General Assembly and the Governor by December 15, 1993, indicating the feasibility of the Judiciary to establish these courts, as has been done in a number of other states.

The statistical reporting contained in the *Annual Report* is predicated upon data painstakingly collected by the Clerks of the Circuit Courts throughout the State and the Office of the Chief Clerk of the District Court. Their work in pursuit of providing a graphic look at the volume of business in our court system is greatly appreciated.

Robert C. Murphy
Chief Judge

State of the Judiciary Message

State of the Judiciary Message
To a Joint Session of the General Assembly of Maryland

Delivered by Chief Judge Robert C. Murphy on January 15, 1993

Governor Schaefer, President Miller, Speaker Mitchell, Ladies and Gentlemen of the General Assembly of Maryland. *The Annual Report of the Maryland Judiciary* for the Fiscal Year ending June 30, 1992, contains within its 146 pages a truly gripping display of pie charts, bar graphs, and statistical tables, all of which you will undoubtedly subject to intense study at your very first opportunity.

As was true last year, this year's *Annual Report* is not a glitzy Madison Avenue-type product; rather, in keeping with these lean economic times, the Report, from cover to cover, has a look of poverty about it. The paper upon which it is printed is inexpensive — "cheap" is a more accurate term. The few photographs in the Report look every bit as bad as Delegate Vallario's passport picture. Nevertheless, I assure you that the content of the Report and the information it conveys is up to the Judiciary's customary high standards — so much so that Senator Miller suggested that I would make a great impression on this body if I took the time to read the Report to you, word by word, page by page. Speaker Mitchell, in his usual genteel manner, suggested that I would make an even greater impression upon you if I did not read the Report, or any part of it, but rather limited my remarks to the fewest words possible. The Speaker's suggestion — actually it is a command — is, I think, the more popular view and I shall make some feeble effort to abide by it, with the caveat, however, that 188 copies of the Judiciary's *Annual Report* will be delivered to the General Assembly as soon as they are delivered to us from our cut-rate printer's office in Outer Mongolia.

This is indeed an important occasion for the judges and non-judicial personnel of the Judicial Branch of State Government. I cannot help but note how appropriate it is that this State of the Judiciary address coincides with the State Holiday celebrating the birth of that great American and world figure, Dr. Martin Luther King, Jr. The business of judges, of course, is justice and justice was Dr. King's life's work. It is still painfully obvious as we look around us that he did not succeed in all his efforts to erase every vestige of bigotry and discrimination in our society. But more than any other person in our history, he brought about a heightening of our consciousness of the inequities in our society, and he set us on a path which must someday lead to that world of his dreams — that world in which all persons are judged, he said, "not by the color of their skin, but by the content of their character."

Permit me now to focus on the crushing caseload confronting the twenty-four Circuit Courts of Maryland, one being located in each county and Baltimore City. When I first came on the bench in 1967 — twenty-five years ago — the Circuit Courts collectively had new filings in that year, in round numbers, of 90,000 cases. Of these, 51,233 were civil cases; over 20,000 were criminal cases, and just under 19,000 were juvenile matters. With each passing year, these numbers escalated until in FY '92 new case filings in Circuit Courts had reached astronomical heights — a blitzkrieg of new filings in that year alone, totalling almost 262,000 cases in all. Of these, over 149,000 were civil cases; 74,000 were criminal, and 38,000 were juvenile matters — a percentage increase between 1967 and 1992 of 195% in civil; 260% in criminal, and 50% in juvenile. Remaining untried at the end of FY '92, after the Circuit Courts had terminated 228,238 cases during that year, were almost 273,000 cases.

"...in FY '92 new case filings in Circuit Courts had reached astronomical heights—a blitzkrieg of new filings in that year alone, totalling almost 262,000 cases in all."

Confronting this avalanche of cases, at present, is an authorized complement of 123 Circuit Court judges — 33 of whom were added to the complement between 1979 and 1992, far less than the corresponding increase in the cases filed within that time frame. Many of these cases, as you know, are both protracted

and extremely complicated, individually requiring many weeks or even months to try. Because of cost containments in the last fiscal year, which continue into the present fiscal year, the authorized complement of Circuit Court judges was not realized — for as many as twelve unfilled judicial vacancies existed at various times during that year. And exacerbating our inadequate number of Circuit Court judges was our inability in FY '91 to obtain our demonstrated need for seven additional Circuit Court judges. Moreover, the ability of circuit court judges to dispose of civil cases was seriously circumscribed by the priority required by constitutional and statutory mandates to the trial of criminal cases. To maintain the utmost possible level of judicial productivity, all Maryland judges were required last year to forfeit a full week of their authorized vacation in order to provide the Judiciary with over 1,200 additional judge days throughout the State.

"Because of cost containments in the last fiscal year, which continue into the present fiscal year, the authorized complement of Circuit Court judges was not realized."

It is no small wonder then that the weary and beleaguered Circuit Court judges simply shook their heads in dismay upon learning of bills introduced in the General Assembly in the last session, and likely to be introduced again this year, to impose monetary or other sanctions upon them for not doing more — for not working harder and faster in disposing of the civil caseload. They think, as I do, that such legislative efforts are badly misguided, grossly unfair to these dedicated judges, and without understanding of the horrendous caseloads that Circuit Court judges face each day — not to speak of the damage done to the traditional comity between members of the Legislative and Judicial Branches of our Government.

This past November, I certified to the President and Speaker a compelling need for ten additional Circuit Court judges, with full-year funding for new judgeships in Cecil, Frederick, and Calvert Counties, and in Baltimore City; and one-half-year funding for the remaining circuit judgeships in Howard, Prince George's, Montgomery, St. Mary's, Charles, and Harford Counties. I, of course, realize the considerable cost associated with this request. But justification for it is fully documented in my certification to the President and Speaker. In assessing this critical need, I ask that you bear in mind the magnitude, among other things, of the torrent of drug and drug-related prosecutions now swamping our courts and the mass tort litigation which we are now facing, particularly the cases involving property damage and personal injuries claimed to be caused by asbestos and asbestos products. In this category alone, over 10,000 personal injury cases are now pending in the Circuit Court for Baltimore City, most all of them involving demands for jury trials.

"I ask that you bear in mind the magnitude, among other things, of the torrent of drug and drug-related prosecutions now swamping our courts and the mass tort litigation which we are now facing."

Circuit Courts are the highest trial courts of general jurisdiction in our State, and they depend on the Office of the Clerk of the Court for clerical and administrative support in and out of the courtroom. The Clerk who heads the office is an elected constitutional officer who also has responsibility for the maintenance of land records, the collection of transfer and recordation taxes, and the issuance of various business and other revenue-generating licenses. In 1990, under then existing law, the Clerk appointed all employees in the office without regard to the State merit system. At that time, each of the twenty-four Clerks' Offices was, in effect, a separate general fund agency of the State, whose budget appropriations were contained in the Executive, rather than the Judicial Branch component of the State budget, amounting collectively to roughly $39,000,000, including funding for a then total of 1,114 employees. Under the then controlling Maryland constitutional provision, the judges of the Circuit Courts had only an ill-defined visitorial power over the work of the Clerk. The fiscal and budgetary control of the Clerk's Office was vested in the Comptroller, while the classification and reclassification authority over Clerk's Office employees resided with the Secretary of Personnel.

Upon learning of proposed legislation that same year to place the Clerks' budgetary ap-

propriations within the judicial budget, I stated my opposition to such a change unless clear administrative authority was vested in the Judiciary to superintend the work of the Clerks' Offices. Thereafter, you proposed a constitutional amendment, which was ratified by the voters later that same year. It was thereby provided that the office and business of the Clerks of Court in all their departments, judicial as well as nonjudicial, would be governed in accordance with rules adopted by the Court of Appeals pursuant to the Court's constitutional rule-making authority under the Maryland Constitution. Moreover, the constitutional amendment directed that the employees of the Clerks' Offices were to be appointed and removed according to procedures set by law. The constitutional provision was implemented at that same session by a statute placing budgetary appropriations for the Clerks' Offices within the judicial budget, as approved by the Chief Judge of the Court of Appeals. The statute further directed the Court to establish rules to govern "[t]he procedure for appointment and removal of personnel in the Clerk's Office," it being provided that these positions could be within the classified or unclassified service of the State or in a personnel system developed by the Judicial Branch.

"It was thereby provided that the office and business of the Clerks of Court in all their departments, judicial as well as nonjudicial, would be governed in accordance with rules adopted by the Court of Appeals pursuant to the Court's constitutional rule-making authority under the Maryland Constitution."

Pursuant to this constitutional and statutory authority, the Court, after public hearings and consultation with Clerks' Advisory Committees, adopted rules in furtherance of these mandated directives, which included the establishment of a personnel system for the employees of the Clerks' Offices based on merit principles and equal opportunity, as well as "appropriate job classifications and compensation scales." The State Court Administrator was required by the rules to develop, with the Court's approval, standards and procedures for the selection and appointment of new Clerk's Office employees, as well as their promotion, reclassification, transfer, demotion, suspension, and discipline. The rules further provided that the Administrative Office of the Courts prepare the payroll and time and attendance reports for the Clerks' Offices; and that, in procuring service or property, the Clerk act in accordance with procedures established under the Court's authority, as well as in connection with "case processing, records management, form control, accounting, budget, inventory, and [with some exceptions] data processing."

"Quite frankly, there is no single administsrative task that I perform with the employees of the Administrative Office of the Courts that takes more time and detailed attention that our oversight governance of the Clerks' Offices."

Notwithstanding the constitutional amendment, the implementing statute, and the Court rules, some Clerks assert the view that, as elected officials, they cannot lawfully be subjected to this type of managerial governance. Several legislators have expressed to me their agreement with the Clerks' position, despite the plain language of the governing law, supported by opinions of the Attorney General. Of course, the law can be changed by the Legislature if, in fact, it is not in accordance with your intention or your purpose in enacting it. Quite frankly, there is no single administrative task that I perform with the employees of the Administrative Office of the Courts that takes more time and detailed attention than our oversight governance of the Clerks' Offices. I think that the present law, as we are administering it, is consistent with your objectives and that it is in the best interest of the public, particularly as it relates to the basic function of the Clerk to attend to the clerical and administrative needs of the Circuit Court. It is not, as I see it, an inappropriate consequence of the new law that the political stature or authority of the elected Clerk may thereby be somewhat diminished. If your intention is otherwise, then you may, as I have said, change the law to your liking.

While on the subject of circuit courts, well over 50% of the civil caseload of those courts involves

domestic, juvenile, and family law matters. Two study groups — the Governor's Task Force on Family Law and the Advisory Council on Family Legal Needs of Low Income Persons — have urged the creation of an independent and unified Family Court, separate and apart from the Circuit Courts, with its own judges, separate courthouse facilities, and administrative staff, or, by way of a fall-back position, a Family Court functioning within the existing Circuit Court structure, but as a separate and distinct division of the Circuit Courts. Both reports stress the need for judges specially trained in family law matters, unburdened by the mix of cases which circuit judges now hear, and thus totally divorced from the priority afforded to the trial criminal cases. The jurisdiction proposed to be vested in the Family Court is sweeping; it would encompass, among other things, all divorce, separation, annulment, and marital property matters; custody, visitation, child and spousal support, paternity, adoption, determination of parental rights, juvenile delinquency, juvenile abuse and neglect cases, domestic violence cases, criminal nonsupport, adult and juvenile guardianships, and cases implicating the withholding of life-sustaining medical treatment — the so-called right-to- die cases. These reports, while extremely well done and farsighted, will likely be highly controversial in some of their proposals.

The substantive law changes recommended in these reports, in the main, have the support of the Family Law Committee of the Maryland Judicial Conference, as well as its Executive Committee. In general, the proposed substantive revisions implicate grounds for divorce, residency requirements, marital property, spousal support guidelines, and a number of other important reforms. The proposed structure of the new court — whether as a separate court independent of the circuit courts or as a division of that court — would appear to be a matter of the most vital concern, which requires intense and thoughtful study by the General Assembly and by the Judiciary. One thing everyone agrees upon is that simply to place the label "Family Court" on the proposed new entity, whatever its structure, without the requisite resources to permit it to perform its intended function is to accomplish absolutely nothing.

"One thing everyone agrees upon is that simply to place the label "Family Court" on the proposed new entity, whatever its structure, without the requisite resources to permit it to perform its intended function is to accomplish absolutely nothing."

The wisdom and feasibility of a Family Court in Maryland was considered in the 1982 Report of the Commission to Study the Judicial Branch of Government, which was created by House Joint Resolution of this body in 1981. That Commission concluded that because there was no indication that the necessary level of funding for the project would be forthcoming, it made no sense to create it. The two new reports, however, have considerable more substance to them than the 1982 report, and may convince you that the time has come in Maryland to create and properly support a Family Court.

In my 1990 judiciary address, I suggested the need to empanel a Select Committee on the Administration of Justice in Maryland to consist of our most astute and visionary leaders in the fields of business, education, community affairs, government, law, and politics. The purpose of the Committee would be to conduct an in-depth assessment of whether, absent substantial change in our present mode of operation, the court system was capable of satisfying the demand for timely and effective adjudicatory services; and, if not, what steps must be taken in our State to retool our judicial system to enable it, fairly, expeditiously, and inexpensively, to administer justice in our tripartite system of government in the coming decades. I pointed out that a number of states, and the federal government, had engaged in futuristic judicial branch studies of this type, with excellent results. The last study of our Judicial Branch was completed in 1982, and most of its conclusions are no longer of any relevance. It is, I think, imperative that a fresh look be made now if we are to position ourselves in the coming decades to cope with new and greater demands in our rapidly changing society, without slavish devotion to the status quo when more effective means are readily at hand to accommodate and implement the overriding interests of the public. Through the enactment of rules and statutes, some enlightened states have placed emphasis upon an alternative approach to the traditional adjudication of civil disputes filed within the court system — I speak, for example, of arbitration, mediation, and conciliation techniques, and

neutral case evaluation sessions for settlement purposes, preliminarily utilizing nonjudicial court personnel to screen cases, in accordance with court-developed standards and criteria, for subsequent outside referrals for case disposition. It is being increasingly shown that such methods may be more efficient, faster, less costly, and frequently more satisfying to the litigants than the slow and tedious movement of cases through the arteriosclerosis of the traditional litigation process — thus obviating the need for more and more judges and supporting staff. These referrals or diversions save the time of judges for the complex cases that must be tried in court, usually before juries, and are by no means the equivalent of the "rent-a-judge" gimmickry utilized in some areas of the country.

Turning now to the District Court of Maryland, which in a few months will complete its twenty-second year of operation, the importance of that court continues to grow with each passing year. It is with that court that our citizens have the most frequent contact, and I am fully satisfied that the ends of justice are well served by the ninety-seven judges and nonjudicial personnel who handle its enormous caseload.

In its first year of operation — 1971 — 750,000 criminal, civil, and motor vehicle cases were filed in the District Court. In the fiscal year just concluded, almost 2,000,000 such cases were filed, an increase of 166% over 1971.

Efforts of the District Court to make the maximum utilization of its judicial complement are well known to the lawyers of Maryland. On almost a daily basis, District Court judges from the smaller Maryland counties, where court sessions are not required every day, are assigned into those metropolitan areas where their services are more sorely needed. This practice has enabled the court to address its ever-expanding caseload with minimal requests for additional judgeships. Indeed, during that twenty-two year span, within which its caseload has almost trebled, the number of District Court judges has increased by only 33%.

At your 1992 session, this body made a number of enlightened revisions to our domestic violence statute, expanding its protections to thousands of individuals theretofore outside its jurisdiction, and making provisions relating to child support and child custody that had not been available under the prior law. The Judiciary, although supportive of almost all of the changes, was apprehensive about our ability to timely afford the mandated priority to the expanded number of these cases certain to come. These apprehensions proved well founded, as there has been an extraordinary increase both in the number of domestic violence petitions and in the judicial time required to be devoted to these cases.

The new law became effective October 1, 1992. Under the old law, in October and November of 1991, there was a total of 987 domestic violence cases filed in the State. In October and November, 1992, under the new law, 1,561 domestic violence cases were filed in the District Court alone, and an additional 162 cases were filed in the circuit courts, where they were seldom filed before the enactment of the new law. Our evaluation shows that the average time per hearing has almost tripled. Indeed, hearings sometimes last for several hours, or a full day, and some have gone over into a second day. Despite the greatly increased burdens that this law has placed upon the Judiciary, the District Court has been able to dispose of these cases without major inconvenience to the citizens who seek the protections of the new law, and without creating gridlock or enormous backlogs in the other areas of District Court jurisdiction. This is so, in some part, because in the past year there has been a sudden and extreme reduction in the motor vehicle caseload in the District Court, which has made it possible for its judges to address the ever-increasing onslaught of domestic violence cases. Notwithstanding this unexpected benefit, the General Assembly may well consider whether our police departments, because of unfilled vacant police positions or for some other reason, have lessened their efforts to prevent death and injury on Maryland highways.

In this regard, I point out that in the first quarter of Fiscal Year 1993, the number of traffic citations issued in Maryland dropped by 24% when compared to the same time frame a year ago. Reasons suggested for this stark reduction range not just from police vacancies resulting from budget cuts, but possibly to police protests over salary freezes. Others suggest that police departments in Maryland have shifted emphasis from traffic enforcement to crime preven-

"...there has been an extraordinary increase both in the number of domestic violence petitions and in the judicial time required to be devoted to these cases."

tion, and that the accent on community policing has brought about a mass reduction in departmental traffic safety programs.

Of particular interest is the fact that the reduction in motor vehicle charges includes a continuing drop in DWI arrests. Four years ago, there were almost 45,000 DWI cases filed in the District Court; last year there were only 37,000. As much as I would like to believe that the reduction arises from a more sober motoring public, I am fearful that it may be simply a result of lessened police activity in this area. We have alerted the Department of Budget and Fiscal Planning that because of the reduction of motor vehicle cases in the District Court we anticipate a drop in court revenue of almost $5,000,000 when this fiscal year concludes on June 30, 1993.

Finally, a word about our criminal justice system. Those who break our criminal laws, we are fond of saying, will be subject to swift arrest, prompt trial, and certain punishment. To realize that goal, adequate funding for all components of the system is absolutely essential. The police, other than the State Police, the prosecutors, the sheriffs, and the nonjudicial personnel of the Circuit Courts, other than those in the Circuit Court Clerks' Offices, are all funded by the political subdivisions, consistent with their level of affluence or lack of it. The judges, the public defenders, the personnel of the Circuit Court Clerk's Office, and the parole, probation and correctional officers are funded by the State on a uniform financial keel. Budget cuts as to any of these component parts that are too severe, whether locally or State imposed, may well cause a system breakdown with dire consequences to our citizens.

" The highly structured presence of the Office of the Public Defender, in its institutional capacity, is every bit as vital to the successful operation of the criminal justice system as the police, the prosecutors, and the judges."

Focusing in particular on the Office of the Public Defender, roughly 85 to 90% of all persons charged with crimes in Maryland are financially unable to employ their own lawyers; they necessarily depend upon the Public Defender for their constitutionally guaranteed right to counsel. That office is staffed for trial and appellate work by 243 full-time and 17 part-time attorneys. The office represents roughly 150,000 defendants a year at an average statewide cost per case of $166. There can be no lawful movement of the vast majority of criminal cases through the system unless and until the Public Defender appears as counsel for the defendant; indeed, absent waiver, police are prohibited from even interrogating an arrested individual in counsel's absence. If the defendant's constitutional right to counsel is not timely satisfied, the consequences can truly be draconian — outright dismissal of all charges, no matter how grave and the release of the accused from custody.

There is, of course, an understandable reluctance to provide public funds for the defense of persons charged with crimes. But, we simply must if the prosecution of criminals, both violent and nonviolent, is to proceed with dispatch. In Baltimore City alone, some 12,185 indictments and informations were pending trial as of November 30, 1992; the figure in Prince George's County was 4,952; in Montgomery County, 4,802; and in Baltimore County, 2,256.

The highly structured presence of the Office of the Public Defender, in its institutional capacity, is every bit as vital to the successful operation of the criminal justice system as the police, the prosecutors, and the judges. There is no returning to the bygone days when judges appointed lawyers for indigent defendants shortly before trial, on an ad hoc, "catch as catch can" basis with little or no time for trial preparation by defense counsel. The Constitution no longer sanctions this unorganized, willy-nilly approach to the defense function. I am, therefore, hopeful that in the budget process this year the General Assembly will fully recognize the critical role played by the Public Defender's Office and strive to approve the requisite appropriations essential to the performance of its constitutionally mandated duties. In this regard, please do not be victimized by those strident voices who, without any factual foundation, say that the Public Defender represents defendants who drive BMW's and wear alligator shoes; it is simply not true.

I said at the beginning of these remarks that I would make an effort to be brief. Obviously, I failed. I do, however, apologize if I have unduly trespassed on your time and patience. All members of the judicial family, as I am sure you know, are appreciative of the extreme difficulty and complexity of your work, and we wish you well in your deliberations at this 1993 General Assembly Session.

Judicial Revenues and Expenditures

Judicial Revenues and Expenditures

In Fiscal Year 1993, State and local costs to support the operations of the judicial branch of government were approximately $181.1 million. The judicial branch consists of the Court of Appeals; the Court of Special Appeals; the circuit courts; the District Court of Maryland; the circuit court clerks' offices; the Administrative Office of the Courts; the Standing Committee on Rules of Practice and Procedure of the Court of Appeals; the State Board of Law Examiners; the Maryland State Law Library; and the Commission on Judicial Disabilities. There were 240 judicial positions and approximately 3,400 non-judicial positions in the judicial branch as of June 30, 1993. The State-funded judiciary budget operates on a program budget and expended $141,043,696 in Fiscal Year 1993. A continuing fiscal crisis that the State faced in Fiscal Year 1993 caused the Judiciary to revert approximately $2.5 million generated as a result of several cost-containment measures directed by the Chief Judge of the Court of Appeals.

The two appellate courts and their respective clerks' offices are funded by two programs. The circuit court program contains the compensation, travel, and educational costs for circuit court judges which totaled $19,581,498, and the costs to operate the circuit court clerks' offices of $39,021,204, all which totaled $58,602,702. This is the third full year in which costs for these offices are in the judicial budget. As a result of the passage of a constitutional amendment in 1990, they were transferred from the executive to the judicial budget. The largest program is the State-funded District Court which expended $60,402,772. The Maryland Judicial Conference contains funds for continuing judicial education and Conference activities. Remaining programs fund the Administrative Office, the Maryland State Law Library, Judicial Data Processing, the Standing Committee on Rules of Practice and Procedure, the State Board of Law Examiners, the State Reporter, and the Commission on Judicial Disabilities.

The Attorney Grievance Commission and the Clients' Security Trust Fund are supported by assessments paid by lawyers entitled to practice in Maryland. These supporting funds are not included in the judicial budget.

The figures and tables show the State revenue and expenditures for Fiscal Year 1993. With the exception of two special funds, all revenues are remitted to the State's general fund. The Land Records Improvement Fund created by statute effective in Fiscal Year 1992 permits a surcharge by circuit court clerks for recording land instruments. The fund is used for essential land record supplies and equipment to improve land records operations in the clerks' offices. The second special fund is the Victims of

Judicial Branch Personnel in Profile

Judicial Personnel	
Court of Appeals	7
Court of Special Appeals	13
Circuit Court	123
District Court	97
Non-Judicial Personnel	
Court of Appeals	29
Court of Special Appeals	59
District Court	1,180.35
Administrative Office of the Courts	169
Court-Related Offices	
State Board of Law Examiners	5
Standing Committee on Rules of Practice and Procedure	3
State Law Library	10
State Reporter	1
Circuit Courts—Local Funding	827.3
Circuit Courts	1,156.5
Total	**3,680.15***

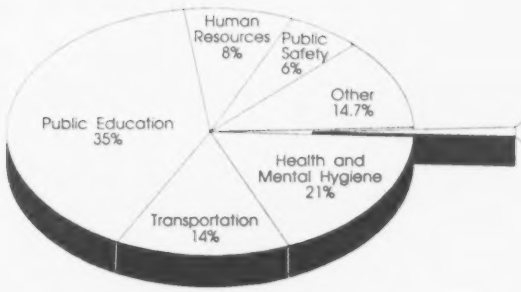
*Includes allocated, temporary, and contractual positions

Crime Fund, also created by statute effective Fiscal Year 1992. The source of the funds are additional costs assessed in criminal cases, a portion of which are to be remitted to this fund to establish programs that provide victims and witness services. Shown on the following tables is the total revenue collected by the circuit court clerks in Fiscal Year 1993 for court related and non-court related activities. $39,750,978 was collected for commissions on land record transactions, State licenses, court costs, and for criminal injuries compensation. In prior years, the State Transfer Tax was deposited into the general fund; however, in Fiscal Year 1993, the Comptroller's Office changed this to a Special Fund account. During Fiscal Year 1993, the clerks collected $54,337,587 which was deposited into this account. In addition, the clerks' offices remitted $150,687,167 to local governments for recordation taxes, licenses, and court fines. $3,349,912 was collected for the Land Records Improvement Fund, and $66,627 was collected for the Victims of Crime Fund. The District Court remitted $55,931,197 in fees, fines, and costs to the State general fund.

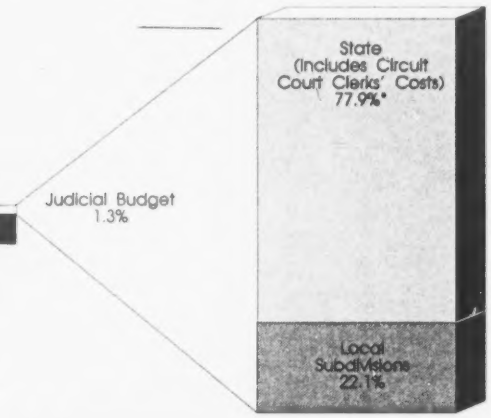
The total State budget was approximately $13.4 billion in Fiscal Year 1993. The illustration reflects that the State-funded judicial budget consumes about 1.3 percent of the entire State budget. Other expenditures of the circuit courts come from local appropriations to Maryland's 23 counties and Baltimore City. These appropriations were approximately $40.1 million in Fiscal Year 1993. Revenues from fines, forfeitures and certain appearance fees are returned to the subdivisions, primarily for the support of the local court library. Other court-related revenues collected by the circuit courts come from fees and charges in domestic relations matters and service charges in collecting non-support payments.

The chart illustrating the contributions by the State and the local subdivisions to support the judicial branch of government, shows that the State portion accounts for approximately 77.9 percent of all costs, while the local subdivisions account for 22.1 percent.

STATE FUNDED PORTION OF JUDICIAL EXPENDITURES FOR FISCAL YEAR 1993



FUNDING SOURCES FOR JUDICIAL BRANCH



State Funded Judicial Budget

General Revenues*

Program	Actual FY 1991	Actual FY 1992	Actual FY 1993
Court of Appeals	$ 71,245	$ 76,314	$ 74,565
Court of Special Appeals	75,443	88,109	101,205
Circuit Courts	85,973,458	94,235,352	**39,750,978
District Court	61,341,883	63,936,759	55,931,197
Administrative Office of the Courts	0	0	***1,194,743
State Board of Law Examiners	418,719	498,213	527,056
TOTAL	**$147,880,748**	**$158,834,747**	**$97,579,744**

*Please refer to the narrative for an explanation of the revenues. In addition, $3,349,912 was remitted to the Land Records Improvement Fund and $66,627 was remitted to the State's Victims of Crime Fund.

**Prior to 1993, State Transfer taxes were included in General Fund revenue. Beginning in 1993, State Transfer taxes were allocated to a special fund. State Transfer taxes were $54,337,587 for FY 1993.

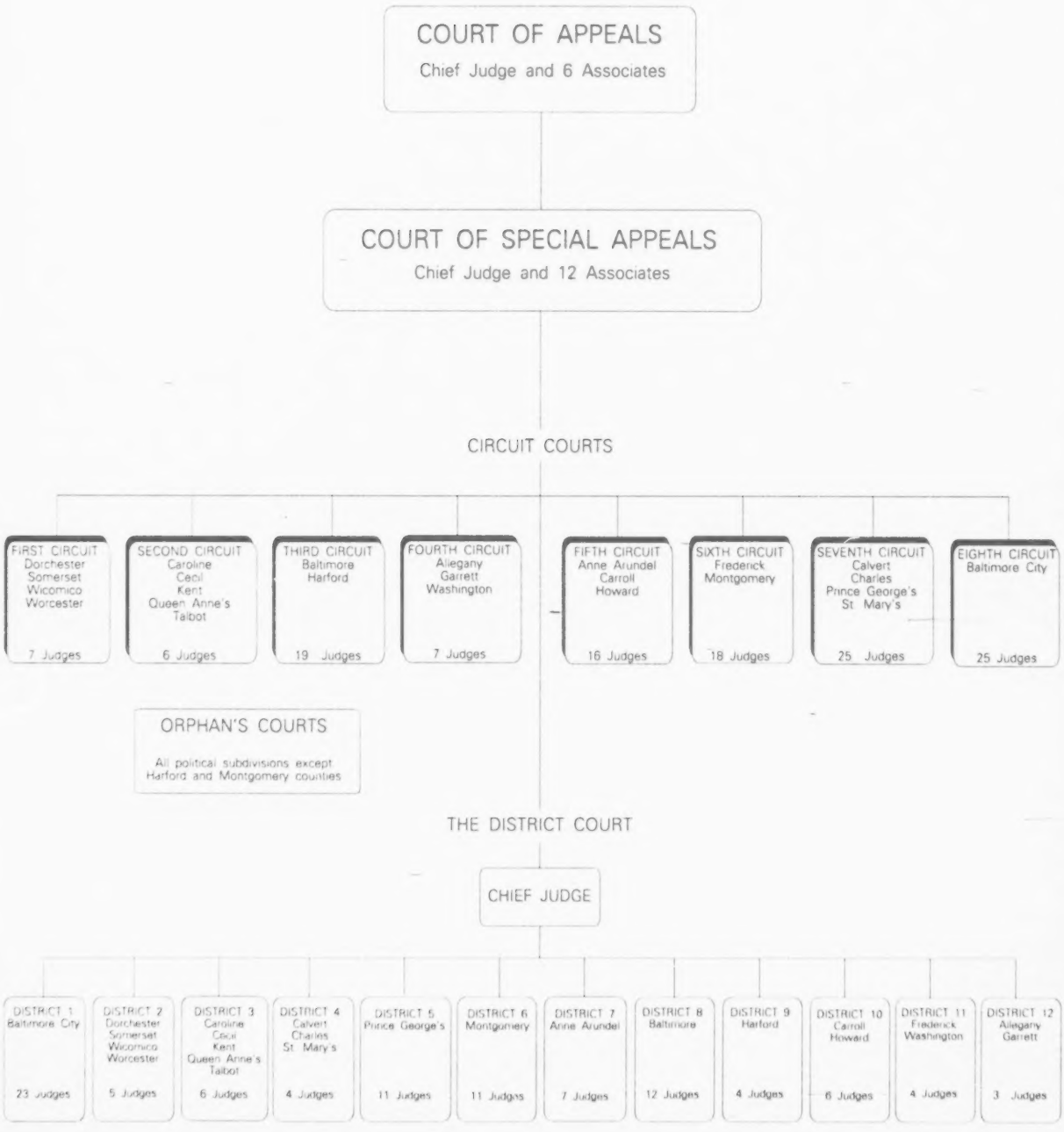
***These funds were collected by the Administrative Office of the Courts through administration of the Federal Child Suppport Enforcement Agreement.

Expenditures

Program	Actual FY 1991	Actual FY 1992	Actual FY 1993
Court of Appeals	$ 2,196,777	$ 2,418,130	$ 2,416,374
Court of Special Appeals	4,242,621	4,326,372	4,431,574
Circuit Courts (Includes Circuit Court Clerks' Offices)	57,597,875	57,145,019	58,602,702
District Court	61,249,112	59,735,678	60,402,772
Maryland Judicial Conference	5,125	7,658	19,908
Administrative Office of the Courts	1,593,622	3,541,470	5,154,773
Court-Related Agencies	713,594	797,318	887,774
Maryland State Law Library	649,614	680,517	675,967
Judicial Data Processing	7,772,876	8,086,478	8,451,852
TOTAL	**$136,021,216**	**$136,738,640**	**$141,043,696**

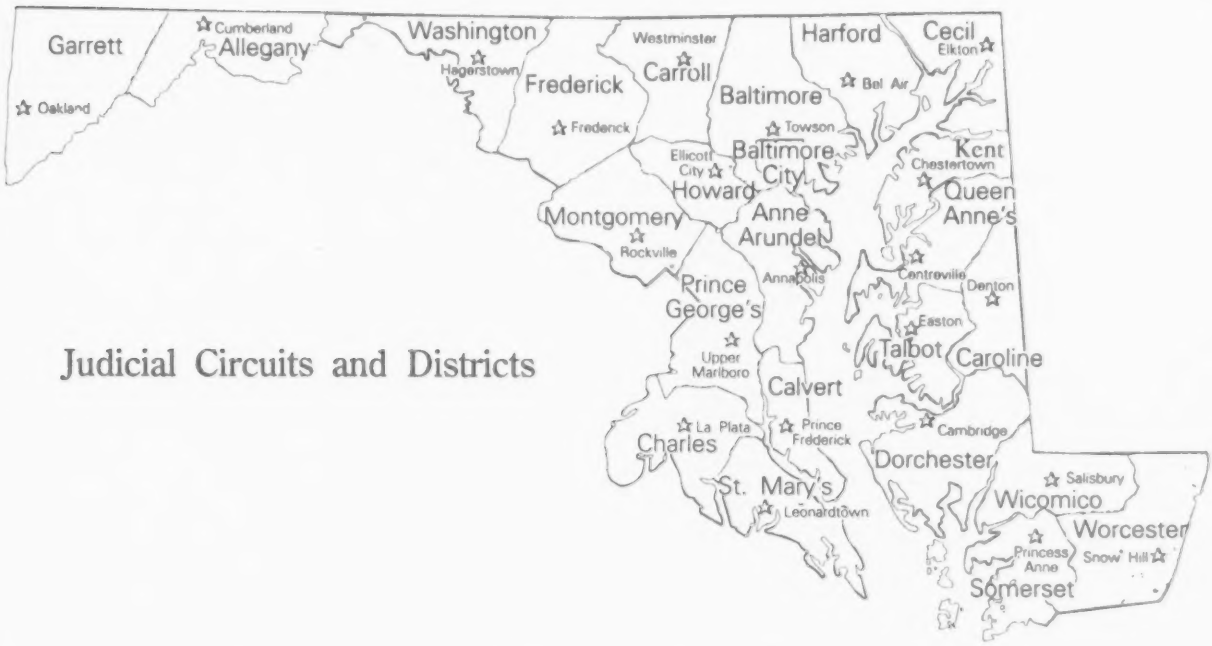
The Maryland Judicial System

THE MARYLAND JUDICIAL SYSTEM
FISCAL 1993



STATE OF MARYLAND

Judicial Circuits and Districts



JURISDICTIONS INCLUDED IN APPELLATE CIRCUITS

First Appellate Circuit—Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester
Second Appellate Circuit—Baltimore and Harford
Third Appellate Circuit—Allegany, Frederick, Garrett, Montgomery, and Washington
Fourth Appellate Circuit—Calvert, Charles, Prince George's, and Saint Mary's
Fifth Appellate Circuit—Anne Arundel, Carroll, and Howard
Sixth Appellate Circuit—Baltimore City

JURISDICTIONS INCLUDED IN JUDICIAL CIRCUITS

First Judicial Circuit—Dorchester, Somerset, Wicomico, and Worcester
Second Judicial Circuit—Caroline, Cecil, Kent, Queen Anne's and Talbot
Third Judicial Circuit—Baltimore and Harford
Fourth Judicial Circuit—Allegany, Garrett, and Washington
Fifth Judicial Circuit—Anne Arundel, Carroll, and Howard
Sixth Judicial Circuit—Frederick and Montgomery
Seventh Judicial Circuit—Calvert, Charles, Prince George's and Saint Mary's
Eighth Judicial Circuit—Baltimore City

JURISDICTIONS INCLUDED IN DISTRICT COURT DISTRICTS

First District—Baltimore City
Second District—Dorchester, Somerset, Wicomico, and Worcester
Third District—Caroline, Cecil, Kent, Queen Anne's, and Talbot
Fourth District—Calvert, Charles, and Saint Mary's
Fifth District—Prince George's
Sixth District—Montgomery
Seventh District—Anne Arundel
Eighth District—Baltimore
Ninth District—Harford
Tenth District—Carroll and Howard
Eleventh District—Frederick and Washington
Twelfth District—Allegany and Garrett

Members of the Maryland Judiciary
as of September 15, 1993

THE APPELLATE COURTS

The Court of Appeals

Hon. Robert C. Murphy, CJ (2)
Hon. John C. Eldridge (5)
Hon. Lawrence F. Rodowsky (6)
Hon. John F. McAuliffe (3)
Hon. Howard S. Chasanow (4)
Hon. Robert L. Karwacki (1)
Hon. Robert M. Bell (6)

The Court of Special Appeals

Hon Alan M. Wilner, CJ (At large)
Hon. Charles E. Moylan, Jr. (At large)
Hon. John J. Bishop, Jr. (At large)
Hon. John J. Garrity (4)
Hon. Paul E. Alpert (2)
Hon. Theodore G. Bloom (5)
Hon. William W. Wenner (3)
Hon. Robert F. Fischer (At large)
Hon. Dale R. Cathell (1)
Hon. Arrie W. Davis (6)
Hon. Diana G. Motz (6)
Hon. Glenn T. Harrell, Jr. (At large)
Hon. Joseph F. Murphy, Jr. (At large)

THE CIRCUIT COURTS

First Judicial Circuit

*Hon. Alfred T. Truitt, Jr., CJ
Hon. Theodore R. Eschenburg
Hon. Donald F. Johnson
Hon. D. William Simpson
Hon. Richard D. Warren
Hon. Thomas C. Groton, III
Hon. Daniel M. Long

Second Judicial Circuit

Hon. Donaldson C. Cole, Jr., CJ
*Hon. J. Owen Wise
Hon. Edward D.E. Rollins, Jr.
Hon. John W. Sause, Jr.
Hon. William S. Horne
Hon. J. Frederick Price

Third Judicial Circuit

*Hon. Edward A. DeWaters, Jr., CJ
Hon. J. William Hinkel
Hon. John F. Fader, II
Hon. Cypert O. Whitfill
Hon. Leonard S. Jacobson
Hon. William O. Carr
Hon. James T. Smith, Jr.
Hon. Dana M. Levitz
Hon. John G. Turnbull, II
Hon. Maurice W. Baldwin, Jr.
Hon. Stephen M. Waldron
Hon. Barbara Kerr Howe
Hon. Alfred L. Brennan, Sr.
Hon. Christian M. Kahl
Hon. Thomas J. Bollinger, Sr.
Hon. J. Norris Byrnes
Hon. Robert E. Cahill
Hon. John O. Hennegan
Vacancy

Fourth Judicial Circuit

Hon Frederick A. Thayer, III, CJ
*Hon. Frederick C. Wright, III
Hon. J. Frederick Sharer
Hon. Daniel W. Moylan
Hon. Gary G. Leasure
Hon. John N. McDowell
Hon. Darrow Glaser

Fifth Judicial Circuit

Hon. Bruce C. Williams, CJ
*Hon. Raymond G. Thieme, Jr.
Hon. H. Chester Goudy, Jr.
Hon. Luke K. Burns, Jr.
Hon. Eugene M. Lerner
Hon. Martin A. Wolff
Hon. James C. Cawood, Jr.
Hon. Raymond J. Kane, Jr.
Hon. Robert H. Heller, Jr.
Hon. Cornelius F. Sybert, Jr.
Hon. Warren B. Duckett, Jr.
Hon. James B. Dudley
Hon. Raymond E. Beck, Sr.
Hon. Lawrence H. Rushworth
Hon. Francis M. Arnold
Hon. Dennis M. Sweeney

Sixth Judicial Circuit

*Hon. William M. Cave, CJ
Hon. Irma S. Raker
Hon. William C. Miller
Hon. L. Leonard Ruben
Hon. DeLawrence Beard
Hon. G. Edward Dwyer, Jr.
Hon. Peter J. Messitte
Hon. J. James McKenna
Hon. Mary Ann Stepler
Hon. Paul H. Weinstein
Hon. Vincent E. Ferretti, Jr.
Hon. Paul A. McGuckian
Hon. James L. Ryan
Hon. Herbert L. Rollins
Hon. William P. Turner
Hon. D. Warren Donohue
Hon. S. Michael Pincus
Hon. Ann Harrington

Seventh Judicial Circuit

Hon. William H. McCullough, CJ
Hon. George W. Bowling
Hon. Robert J. Woods
Hon. Vincent J. Femia
Hon. Robert H. Mason
Hon. Audrey E. Melbourne
Hon. David Gray Ross
Hon. James M. Rea
Hon. Richard J. Clark
Hon. Arthur M. Ahalt
Hon. G. R. Hovey Johnson
Hon. Joseph S. Casula
Hon. Darlene G. Perry
Hon. John H. Briscoe
*Hon. Graydon S. McKee, III
Hon. Thomas A. Rymer
Hon. William D. Missouri
Hon. Robert C. Nalley
Hon. James P. Salmon
Hon. Marvin S. Kaminetz
Hon. Steven I. Platt
Hon. Larnzell Martin, Jr.
Hon. Richard H. Sothoron, Jr.
Hon. C. Philip Nichols
Hon. William B. Spellbring, Jr.

*Circuit Administrative Judge

THE CIRCUIT COURTS (Continued)

Eighth Judicial Circuit
Hon. Robert I. H. Hammerman, CJ
Hon. David Ross
*Hon. Joseph H. H. Kaplan
Hon. Elsbeth Levy Bothe
Hon. John Carroll Byrnes
Hon. Kenneth Lavon Johnson
Hon. Thomas Ward
Hon. Edward J. Angeletti
Hon. Thomas E. Noel
Hon. David B. Mitchell
Hon. Hilary D. Caplan
Hon. Kathleen O'Ferrall Friedman
Hon. Marvin B. Steinberg
Hon. Clifton J. Gordy, Jr.
Hon. Mabel H. Hubbard
Hon. John N. Prevas
Hon. Ellen M. Heller
Hon. Roger W. Brown
Hon. John C. Themelis
Hon. Richard T. Rombro
Hon. Ellen L. Hollander
Hon. Paul A. Smith
Hon. Andre M. Davis
Hon. Joseph P. McCurdy, Jr.
Hon. Martin P. Welch, Sr.

*Circuit Administrative Judge

THE DISTRICT COURT OF MARYLAND

District Court
Hon. Robert F. Sweeney, CJ

District 1
Hon. Robert J. Gerstung
Hon. Martin A. Kircher
Hon. Alan M. Resnick
Hon. Richard O. Motsay
Hon. Alan B. Lipson
Hon. George J. Helinski
*Hon. Mary Ellen T. Rinehardt
Hon. Charlotte M. Cooksey
Hon. H. Gary Bass
Hon. Keith E. Mathews
Hon. Askew W. Gatewood, Jr.
Hon. Alan J. Karlin
Hon. David W. Young
Hon. Theodore B. Oshrine
Hon. Kathleen M. Sweeney
Hon. Teaette S. Price
Hon. Barbara B. Waxman
Hon. Jamey H. Weitzman
Hon. Yvonne Holt-Stone
Hon. Gale R. Caplan
Hon. Nancy B. Shuger
Hon. Norman F. Johnson, Jr.
Vacancy

District 2
Hon. Robert D. Horsey
*Hon. John L. Norton, III
Hon. Robert S. Davis
Hon. Richard R. Bloxom
Hon. Lloyd O. Whitehead

District 3
Hon. L. Edgar Brown
Hon. John T. Clark, III
Hon. H. Thomas Sisk, Jr.
Hon. William H. Adkins, III
*Hon. James C. McKinney
Hon. Harry J. Goodrick

District 4
Hon. C. Clarke Raley
*Hon. Larry R. Holtz
Hon. Gary S. Gasparovic
Hon. Stephen L. Clagett

District 5
Hon. Sylvania W. Woods
Hon. Francis A. Borelli
Hon. Theresa A. Nolan
Hon. Gerard F. Devlin
Hon. John F. Kelly, Sr.
Hon. Thurman H. Rhodes
*Hon. Frank M. Kratovil
Hon. Sherrie L. Krauser
Hon. Patrice E. Lewis
Hon. E. Allen Shepherd
Hon. Sheila R. Tillerson

District 6
Hon. Douglas H. Moore, Jr.
*Hon. Cornelius J. Vaughey
Hon. Henry J. Monahan
Hon. Louis D. Harrington
Hon. Edwin Collier
Hon. Patrick L. Woodward
Hon. Dennis M. McHugh
Hon. Lee M. Sisler
Hon. Martha G. Kavanaugh
Hon. Nelson W. Rupp, Jr.
Hon. Louise G. Scrivener

District 7
Hon. Donald M. Lowman
*Hon. Clayton Greene, Jr.
Hon. Joseph P. Manck
Hon. Martha F. Rasin
Hon. Michael E. Loney
Hon. Vincent A. Mulieri
Hon. James W. Dryden

District 8
*Hon. John H. Garmer
Hon. Patricia S. Pytash
Hon. A. Gordon Boone, Jr.
Hon. Charles E. Foos, III
Hon. Lawrence R. Daniels
Hon. I. Marshall Seidler
Hon. John C. Coolahan
Hon. Michael L. McCampbell
Hon. Barbara R. Jung
Hon. G. Darrell Russell
Hon. Robert N. Dugan
Hon. Alexander Wright, Jr.

District 9
*Hon. John S. Landbeck, Jr.
Hon. Lawrence S. Lanahan, Jr.
Hon. John L. Dunnigan
Hon. Emory A. Plitt, Jr.

District 10
Hon. Donald M. Smith
Hon. R. Russell Sadler
*Hon. James N. Vaughan
Hon. Lenore R. Gelfman
Hon. Louis A. Becker, III
Hon. JoAnn M. Ellinghaus-Jones

District 11
Hon. James F. Strine
*Hon. Frederick J. Bower
Hon. William Milnor Roberts
Vacancy

District 12
*Hon. Paul J. Stakem
Hon. Jack R. Turney
Hon. W. Timothy Finan

*District Administrative Judge

The Court of Appeals

The Court of Appeals

The Court of Appeals

Introduction

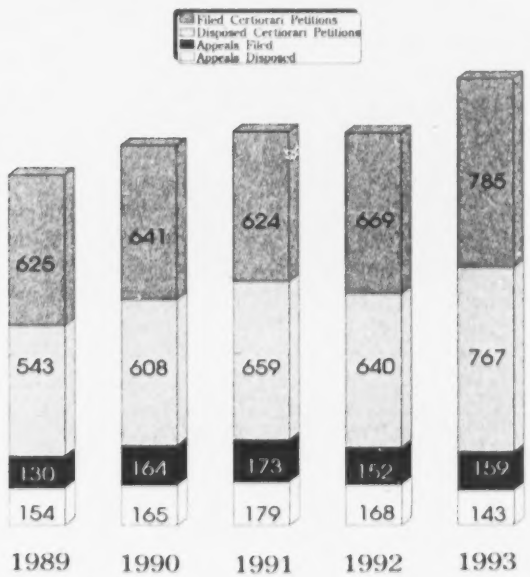
The Court of Appeals, the highest tribunal in the State of Maryland, was created by the Constitution of 1776. The Court sat in various locations throughout the State in the early years of its existence, but it has resided in Annapolis since 1851. The Court is composed of seven judges, one from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit (Baltimore City). Members of the Court initially are appointed by the Governor and confirmed by the Senate. Subsequently, they run for office on their records, unopposed. If a judge's retention in office is rejected by the voters or there is a tie vote, that office becomes vacant and must be filled by a new appointment. Otherwise, the incumbent judge remains in office for a ten-year term. The Chief Judge of the Court of Appeals is designated by the Governor and is the constitutional administrative head of the Maryland Judiciary.

Since January 1, 1975, the Court of Appeals has heard cases almost exclusively by way of certiorari, a discretionary review process. As a result, the Court's workload has been reduced to a more manageable level, thus allowing the Court to devote more time to critical issues.

The Court may review cases already decided by the Court of Special Appeals or bring up for review cases pending decisions in that Court. Additionally, the Court of Appeals has exclusive jurisdiction over cases in which a death sentence has been imposed. Cases from the circuit court level also may be reviewed by the Court of Appeals in matters involving an appeal from the District Court. The Court is empowered to adopt rules of judicial administration, practice, and procedure. These rules have the force of law. It also admits persons to the practice of law, reviews recommendations of the State Board of Law Examiners, and conducts disciplinary proceedings involving members of the bench and bar. Questions of law certified by federal and other state appellate courts also may be decided by the Court of Appeals.

A graphic comparison of regular docket and certiorari petition filings and terminations over the last five fiscal years is provided in Table CA-1. Regular docket appeals and dispositions both increased steadily from Fiscal Year 1989 through Fiscal Year 1991. However, decreases were reported in both categories during Fiscal Year 1992. The number of regular docket appeals reported for Fiscal Year 1993 was comparable to the statistics for the prior year, while dispositions decreased by nearly 15 percent. Certiorari petition filings and dispositions increased by 17.3 percent and 19.8 percent, respectively.

TABLE CA-1
COURT OF APPEALS
APPEALS ACTUALLY FILED AND
TERMINATED WITHIN FISCAL YEAR



Filings

The Fiscal Year 1992 workload in the Court of Appeals was comprised of matters filed on the September 1992 Docket. Filings received from March 1 through February 28 were entered on the September Term docket for argument during the period from the second Monday in September to the beginning of the next term. Appellate court filings for the term of March 1 through February 28 are included in this report, while dispositions are counted on the basis of Fiscal Year data dated from July 1 through June 30.

The Court of Appeals docketed a total of 1,018 filings during the 1992 Term. That figure compares to 880 total filings docketed during the 1991 Term, which is an increase of 15.7 percent. This increase follows a 2.8 percent decrease reported during the 1991 Term. Statistically, the 107 case increase reported in certiorari petition filings (a 16.3 percent increase over the previous term) contributed significantly to the increase. Additionally, attorney grievance appeals more than doubled, from 26 during the 1991 Term to 58 during the 1992 Term. The 1,018 filings reported for the 1992 Term was comprised of 151 regular docket filings, 765 petitions for certiorari, 58 attorney grievance appeals, and 44 miscellaneous appeals.

A party may file a petition for certiorari to review any case or proceeding pending in, or decided by, the Court of Special Appeals upon appeal from a circuit court or an orphan's court. The Court grants those petitions it feels are "desirable and in the public interest." Under certain circumstances, certiorari also may be granted to cases that have been appealed to a circuit court from the District Court after the initial appeal has been heard in the circuit court.

During Fiscal Year 1993, the Court considered 767 certiorari petitions. The petitions were comprised of 365 civil cases (47.6 percent) and 402 criminal cases (52.4 percent). There were 111 petitions granted by the Court (14.5 percent) and 645 petitions denied (84.1 percent). In addition, 11 petitions either were dismissed or withdrawn (Table CA-6).

The regular docket in the Court of Appeals is comprised of cases that have been granted certiorari, as well as cases pending in the Court of Special Appeals that will be heard on the Court's own motion. A monthly review of appellants' briefs from cases pending in the Court of Special Appeals is conducted by the Court of Appeals to identify cases

TABLE CA-2

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF APPEALS

1992 TERM

FIRST APPELLATE CIRCUIT	**16**	**10.6%**
Caroline County	1	
Cecil County	3	
Dorchester County	1	
Kent County	0	
Queen Anne's County	0	
Somerset County	0	
Talbot County	5	
Wicomico County	4	
Worcester County	2	
SECOND APPELLATE CIRCUIT	**27**	**17.9%**
Baltimore County	22	
Harford County	5	
THIRD APPELLATE CIRCUIT	**25**	**16.5%**
Allegany County	1	
Frederick County	2	
Garrett County	4	
Montgomery County	15	
Washington County	3	
FOURTH APPELLATE CIRCUIT	**32**	**21.2%**
Calvert County	1	
Charles County	2	
Prince George's County	27	
St. Mary's County	2	
FIFTH APPELLATE CIRCUIT	**19**	**12.6%**
Anne Arundel County	12	
Carroll County	1	
Howard County	6	
SIXTH APPELLATE CIRCUIT	**32**	**21.2%**
Baltimore City	32	
TOTAL	**151**	**100.0%**

suitable for consideration by the higher court.

A reduction in regular docket appeals was reported for the third consecutive year in the Court of Appeals. The Court docketed 151 cases during the 1992 Term, a decrease of 4.4 percent from the 158 cases docketed during the 1991 Term. That figure compares to the 4.2 percent and the 3.5 percent decreases reported for the 1991 and 1990 Terms. Civil matters, which include law, equity, and juvenile cases, accounted for 58.9 percent (89 cases) of the regular docket cases during the 1992 Term, while the remaining 41.1 percent (62 cases) involved matters of a criminal nature (Table CA-3). Baltimore City contributed 32 docketed cases or 21.2 percent. Prince George's County followed with 27 cases, representing 17.9 percent of the 151 cases docketed. Baltimore County contributed 22 cases, while Montgomery and Anne Arundel Counties contributed 15 cases and 12 cases, respectively. The remaining 19 counties contributed a combined total of 43 cases or 28.5 percent (Table CA-2).

Dispositions

Following a decrease of 2.4 percent during Fiscal Year 1992, the Court of Appeals reported an increase of 12.4 percent in total dispositions for Fiscal Year 1993. There were 989 dispositions during Fiscal Year 1993 compared to the Fiscal Year 1992 level of 880 dispositions. Included in the 989 dispositions were 143 regular docket cases, 767 petitions for certiorari, 51 attorney grievance appeals, and 28 miscellaneous appeals, which included three bar admission proceedings and four certified questions of law (Table CA-4). In addition, the Court admitted 1,338 persons to the practice of law, including 160 attorneys from other jurisdictions.

As previously mentioned, the Court disposed of 143 regular docket cases during Fiscal Year 1993. Of the 143 cases disposed, one case was from the 1989 Docket; ten cases were from the 1990 Docket; 42 cases were from the 1991 Docket; 81 cases were from the 1992 Docket; and nine cases were from the 1993 Docket. More than 64 percent of the cases (92) were of a civil nature; 35 percent (50 cases) were of a criminal nature; and the remaining 0.7 percent (one case) involved a juvenile matter. In disposing of its regular docket, the Court affirmed 43 decisions of the lower court, while reversing 58 decisions. Additionally, 12 decisions were affirmed in part and reversed in part. The Court vacated and remanded 13 cases and remanded three cases without affirmance or reversal. There was one case that was modified and affirmed, one case affirmed in part and vacated in part, and one case was transferred to the Court of Special Appeals. The remaining 11 cases were dismissed by the Court of Appeals, three with opinions filed and eight without opinions (Table CA-7).

In disposing of its caseload, the Court expended an average of four months from the granting of certiorari to an argument of the case or a disposition without argument. The amount of time from argument to decision averaged six months. During Fiscal Year 1993, the entire appellate proc-

TABLE CA-3
APPEALS DOCKETED BY TERM
COURT OF APPEALS REGULAR DOCKET

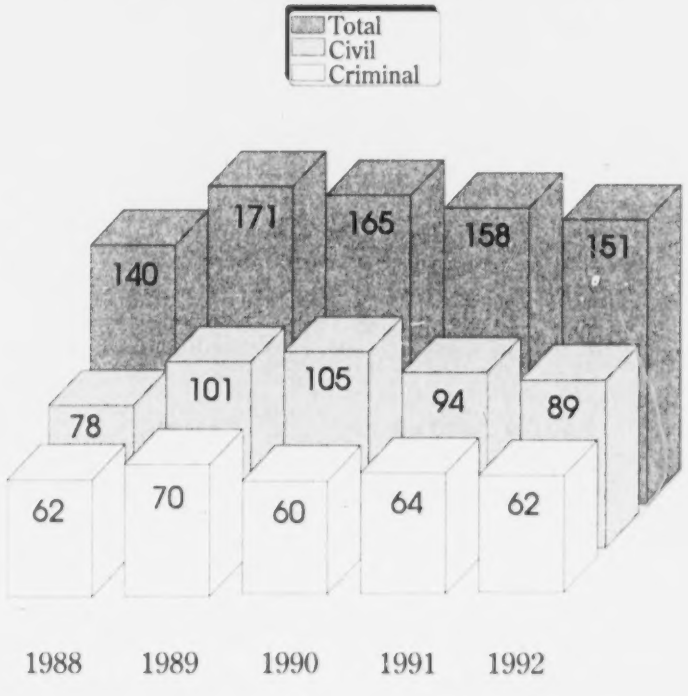


TABLE CA-4

FILINGS AND DISPPOSITIONS
COURT OF APPEALS

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Filings	Dispositions
Regular Docket	159	143
Petitions for Certiorari	785	767
Attorney Grievance Proceedings	62	51
Bar Admission Proceedings	3	3
Certified Questions of Law	8	4
Miscellaneous Appeals	30	21
Total	**1,047**	**989**

ess, from the time certiorari was granted to the final decision, averaged 8.8 months (Table CA-8). There were 121 majority opinions handed down by the Court. There also were 19 dissenting opinions, five concurring opinions, and nine opinions that were dissenting in part and concurring in part.

Pending

At the close of Fiscal Year 1993, there were 127 cases pending before the Court. The pending cases included two cases from the 1989 Docket; three cases from the 1990 Docket; 18 cases from the 1991 Docket; 62 cases from the 1992 Docket; and 42 cases from the 1993 Docket. The cases pending from the 1993 Term were comprised primarily of cases that were added at the close of the fiscal year and scheduled for argument in September. The pending caseload included 78 civil cases (61.4 percent), 47 criminal cases (37 percent), and two juvenile cases (Table CA-5).

Trends

Regular docket appeals continued to decrease during the 1992 Term. Over the last three terms, the number of cases on the regular docket has decreased steadily to the current level of 151 cases. Since the 1989 Term, regular docket appeals have decreased by 11.7 percent. Despite this decrease in regular docket appeals, an unprecedented total of 1,018 filings were received by the Court. This record volume in filings is attributable to a 15.6 percent increase in certiorari petitions, as well as an increase in attorney grievance appeals during the 1992 Term which exceeded 100 percent.

While recording the greatest number of certiorari petition dispositions during the last five fiscal years, the Court granted the lowest percentage of petitions over the same time period. During Fiscal Year 1993, the Court of Appeals disposed of 767 certiorari petitions. Granted petitions constituted 14.5 percent of these dispositions, as compared with 16.4 percent in Fiscal Year 1992. Over the last five fiscal years, the percentage of certiorari petitions granted ranged from a low of 14.5 percent in Fiscal Year 1993 to a high of 19.9 percent in Fiscal Year 1991. During the last four fiscal years, civil petitions have been granted at a higher rate than criminal petitions. During Fiscal Year 1993, 17.3 percent of the civil petitions were granted, compared to 11.9 percent of the criminal petitions. The Court of Appeals reported a decrease in the number of regular docket dispositions for the second consecutive year. Regular docket dispositions have decreased by 20.1 percent since the last reported increase in Fiscal Year 1991.

Over the last five fiscal years, the elapsed time from the granting of a certiorari petition to the rendering of a final decision in cases on the regular docket has been reduced. During Fiscal Year 1989, the entire appellate process spanned all of 11.9 months, compared to the Fiscal Year 1993 average of 8.8 months. This is a decrease of 26.1 percent. The time span for the appellate process has remained relatively constant during the last two fiscal years, with averages of 8.6 and 8.8 months in Fiscal Years 1992 and 1993, respectively. The Court also has reduced its pending caseload over the past five years, from 141 pending cases at the close of Fiscal Year 1989 to 127 pending cases in Fiscal Year 1993.

Challenged to dispense justice efficiently and impartially under the constraints of steadily increasing caseloads, the Judiciary will continue to serve the citizens of Maryland in accordance with the directives established by its highest tribunal, the Court of Appeals.

TABLE CA-5

CASES PENDING
COURT OF APPEALS

Regular Docket

June 30, 1993

	Civil	Juvenile	Criminal	Total
Origin				
1989 Docket	2	0	0	2
1990 Docket	3	0	0	3
1991 Docket	13	0	5	18
1992 Docket	33	0	29	62
1993 Docket	27	2	13	42
Total	**78**	**2**	**47**	**127**

TABLE CA-6

FIVE-YEAR COMPARATIVE TABLE
PETITION DOCKET DISPOSITIONS
(PETITIONS FOR CERTIORARI)

FISCAL 1989–FISCAL 1993

Petitions	Granted	Dismissed	Denied	Withdrawn	Total	Percentage of Certiorari Petitions Granted
Civil						
1988-89	37	1	221	1	260	14.2%
1989-90	66	4	228	0	298	22.1%
1990-91	75	9	241	0	325	23.1%
1991-92	56	8	237	2	304*	18.4%
1992-93	63	7	295	0	365	17.3%
Criminal						
1988-89	54	2	227	0	283	19.1%
1989-90	47	3	260	0	310	15.2%
1990-91	56	3	275	0	334	16.8%
1991-92	49	1	286	0	336	14.6%
1992-93	48	3	350	1	402	11.9%

* This total includes one civil case which was transferred

TABLE CA-7

DISPOSITION OF COURT OF APPEALS CASES

Regular Docket

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Civil	Juvenile	Criminal	Total
Affirmed	28	0	15	43
Reversed	38	1	19	58
Dismissed—Opinion Filed	3	0	0	3
Dismissed Without Opinion	7	0	1	8
Remanded Without Affirmance or Reversal	2	0	1	3
Vacated and Remanded	9	0	4	13
Modified and Affirmed	1	0	0	1
Affirmed in Part, Reversed in Part	3	0	9	12
Affirmed in Part, Vacated in Part	1	0	0	1
Dismissed Prior to Argument or Submission	0	0	0	0
Certified Question Answered	0	0	0	0
Transferred to Court of Special Appeals	0	0	1	1
Vacated	0	0	0	0
Origin				
1989 Docket	0	0	1	1
1990 Docket	8	0	2	10
1991 Docket	27	0	15	42
1992 Docket	51	1	29	81
1993 Docket	6	0	3	9
Total Cases Disposed During Fiscal 1993	**92**	**1**	**50**	**143**

TABLE CA-8

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF APPEALS

Regular Docket

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Certiorari Granted to Argument or to Disposition Without Argument*	Argument to Decision**	Certiorari Granted to Decision*
Days	120	179	264
Months	4.0	6.0	8.8
Number of Cases	143	116	143

* Includes all cases disposed in Fiscal 1993.
** Includes all cases disposed in Fiscal 1993 which were argued.

TABLE CA-9

FIVE-YEAR COMPARATIVE TABLE
AVERAGE TIME INTERVALS
FOR FILING OF APPEALS ON THE REGULAR DOCKET
COURT OF APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Circuit Court	Disposition in Circuit Court to Docketing in Court of Appeals
1988	327	101
	10.9	3.4
1989	322	126
	10.7	4.2
1990	371	136
	12.4	4.5
1991	362	142
	12.1	4.7
1992	370	147
	12.3	4.9

The Court of Special Appeals

The Court of Special Appeals

The Court of Special Appeals

The Court of Special Appeals

Introduction

Maryland's intermediate appellate court, the Court of Special Appeals, was created in 1966 to address a substantial backlog in the Court of Appeals that had developed as a result of a rapidly increasing caseload.

The Court of Special Appeals is located in Annapolis and is composed of a chief judge and twelve associate judges. One member of the Court is elected from each of the first five Appellate Judicial Circuits and two members are elected from the Sixth Appellate Judicial Circuit (Baltimore City). The remaining six members are elected from the State at large. Judges on the Court of Special Appeals are appointed by the Governor and confirmed by the Senate. They run on their records, without opposition, for ten-year terms. The Governor designates the Chief Judge of the Court of Special Appeals.

The Court of Special Appeals has exclusive initial appellate jurisdiction over any reviewable judgment, decree, order, or other action of a circuit court. Generally, it hears cases appealed directly from the circuit courts, unless otherwise provided by law. The judges of the Court are empowered to sit in panels of three. A hearing or rehearing before the Court en banc may be ordered in any case by a majority of the incumbent judges. The Court also considers applications for leave to appeal in such areas as post conviction, habeas corpus matters involving denial of or excessive bail, inmate grievances, appeals from criminal guilty pleas, and violations of probation.

Filings

Cases docketed on the September 1992 Docket formed a major portion of the workload for Fiscal Year 1993. Filings received from March 1 through February 28 were entered on the September Term docket for argument beginning the second Monday in September and ending in June. In this report, filings are counted by term, March 1 through February 28, while dispositions are counted by fiscal year, July 1 through June 30.

During the September 1992 Term, the Court of Special Appeals docketed 2,031 filings on its

TABLE CSA-1
COURT OF SPECIAL APPEALS - APPEALS ACTUALLY FILED AND TERMINATED WITHIN FISCAL YEAR

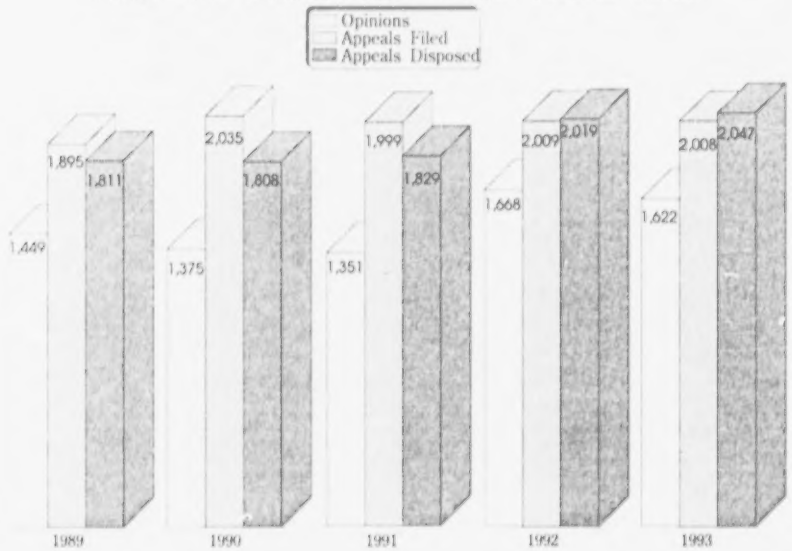


TABLE CSA-2

ORIGIN OF APPEALS BY APPELLATE JUDICIAL CIRCUITS AND COUNTIES COURT OF SPECIAL APPEALS

1992 TERM

FIRST APPELLATE CIRCUIT	**218**	**10.7%**
Caroline County	12	
Cecil County	49	
Dorchester County	26	
Kent County	9	
Queen Anne's County	14	
Somerset County	20	
Talbot County	26	
Wicomico County	44	
Worcester County	18	
SECOND APPELLATE CIRCUIT	**350**	**17.2%**
Baltimore County	281	
Harford County	69	
THIRD APPELLATE CIRCUIT	**393**	**19.3%**
Allegany County	27	
Frederick County	33	
Garrett County	8	
Montgomery County	281	
Washington County	44	
FOURTH APPELLATE CIRCUIT	**363**	**17.9%**
Calvert County	11	
Charles County	46	
Prince George's County	294	
St. Mary's County	12	
FIFTH APPELLATE CIRCUIT	**259**	**12.8%**
Anne Arundel County	159	
Carroll County	29	
Howard County	71	
SIXTH APPELLATE CIRCUIT	**448**	**22.1%**
Baltimore City	448	
TOTAL	**2,031**	**100.0%**

regular docket, an increase of 3.8 percent over the 1,956 filings docketed during the 1991 Term. Approximately 53 percent (1,076 cases) of the filings docketed during the 1992 Term were of a civil nature, while the remaining 47 percent (955 cases) involved criminal matters. This is the first time since the 1987 Term that civil filings have exceeded criminal filings. Additionally, a decrease was reported in criminal filings for the second consecutive term. During the 1992 Term, there was a 6.6 percent decrease in criminal filings, while civil filings increased by 15.3 percent. This increase in civil filings is the first since the 1989 Term (Table CSA-3).

The Court of Special Appeals has implemented two procedures to better manage its civil and criminal workloads. Maryland Rule 8-204 and Courts and Judicial Proceedings Article, §12-302 which remove the right of direct appeal in criminal cases where a guilty plea has been entered, were adopted to manage the criminal caseload more effectively. As a result, it now is necessary to file an application for leave to appeal in instances where a guilty plea has been entered in a criminal case. The Court may exercise discretion in either placing the case on the regular docket or denying the appeal (Table CSA-6). Criminal filings have not exceeded 1,107, the total reported for the September 1982 Term, which preceded the effective date of this procedure. There were 955 criminal filings on the 1992 Docket.

Pre-hearing conferences have been used by the Court in civil matters. Such conferences entail assembling panels of judges to review pending civil cases and identify those cases suitable for resolution by the parties. In accordance with Maryland Rule 8-206, the number of civil filings reported does not include civil notices of appeal filed in the clerks' offices. As stipulated in Maryland Rule 8-206.a.1, these appeals either are scheduled for pre-hearing conference or proceed through the regular appellate process. If the pre-hearing conferences results in a disposition, the cases are not placed on the regular docket or reported as filings. Cases that have not been resolved through pre-hearing conferences are placed on subsequent dockets and counted as filings. An information report which summarizes the actions of the circuit court is filed whenever an appeal has been noted. There were 1,344 information reports received by the Court of Special Appeals during the 1992 Term. This figure represents an increase of five percent over the

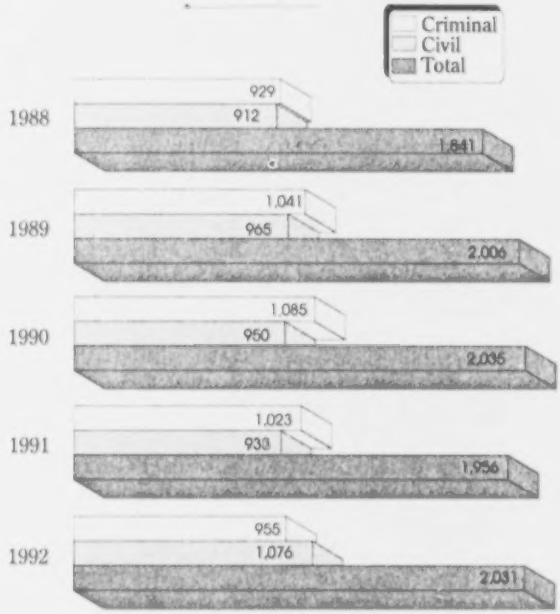
previous term, during which 1,280 reports were received. Of the 1,344 reports filed during the 1992 Term, 620 (46.1 percent) were assigned for pre-hearing conferences (Table CSA-4). These pre-hearing conferences resulted in 389 cases (62.7 percent) proceeding without limitation of issues. Approximately 145 cases (23.4 percent) were dismissed or settled prior, during, or subsequent to the conferences, while 49 cases (7.9 percent) were dismissed or remanded after the pre-hearing conferences. Additionally, five cases (0.8 percent) were stayed pending bankruptcy, nine cases (1.5 percent) proceeded with expedited appeals, and two cases (0.3 percent) were transferred to the Court of Appeals. The remaining 21 cases (3.4 percent) remained pending at the close of the term (Table CSA-5).

With respect to jurisdictional contribution, the greatest number of regular docket cases were received from Baltimore City (448 cases or 22.1 percent). Prince George's County followed with 294 cases or 14.5 percent. Baltimore and Montgomery Counties each reported 281 cases, comprising a combined 27.7 percent of the docketed cases. There were 159 cases (7.8 percent) reported by Anne Arundel County (Table CSA-2). Of the circuit court trials conducted during Fiscal Year 1992, approximately 14 percent were on the regular docket during the 1992 Term. That figure represents a percentage consistent with the previous two terms (Table CSA-9).

Dispositions

As indicated on Table CSA-7, there were 2,047 dispositions of regular docket cases during Fiscal Year 1993, a slight increase of 1.4 percent over Fiscal Year 1992. Regular docket dispositions were comprised of four cases from the 1990 Docket; 361 cases from the 1991 Docket; 1,615 cases from the 1992 Docket; and 67 cases from the 1993 Docket. Of the 2,047 cases disposed of during Fiscal Year 1993, 1,016 (49.6 percent) involved criminal matters, while 1,002 (49 percent) were comprised of matters of a civil nature. The remaining 29 cases (1.4 percent) were juvenile matters (Table CSA-7).

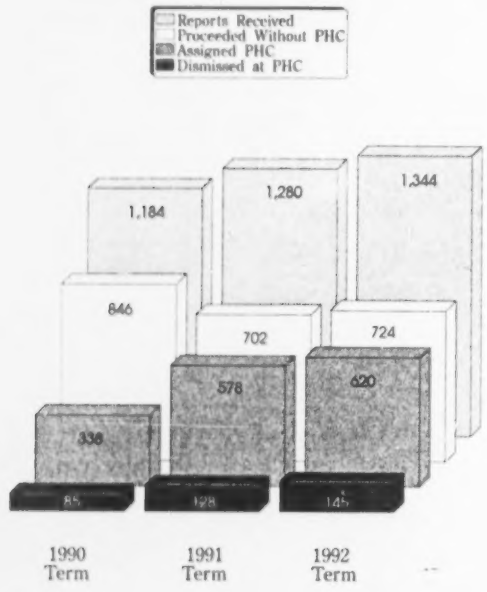
TABLE CSA-3
APPEALS DOCKETED BY TERM
COURT OF SPECIAL APPEALS
REGULAR DOCKET



During Fiscal Year 1993, more than 56 percent (1,149 cases) of the decisions rendered by the Court of Special Appeals were affirmances of lower court decisions. In contrast, only 9.3 percent (191 cases) of the decisions reversed lower court decisions. Nearly two-thirds (63 percent) of the affirmances involved criminal matters, while more than 59 percent of the reversals involved civil matters. Other decisions made by the Court included 149 cases (7.3 percent) that were affirmed in part and reversed in part; 71 cases (3.5 percent) that were transferred to the Court of Appeals; 59 cases (2.9 percent) that were vacated and remanded; and 21 cases (1.0 percent) that were remanded without affirmance or reversal. The remaining 407 cases were dismissed by the Court of Special Appeals, 374 of which were dismissed prior to argument or submission (Table CSA-7).

In addition to disposing of cases on its regular docket, the Court also rendered dispositions on 332 miscellaneous docket cases. This figure includes 203

TABLE CSA-4
PREHEARING CONFERENCE REPORTS
COURT OF SPECIAL APPEALS



months in Fiscal Year 1992.

The Court handed down 1,622 majority opinions during Fiscal Year 1993, which included 1,405 unreported opinions and 217 reported opinions. These 1,622 opinions compare to 1,668 opinions in Fiscal Year 1992 and 1,351 opinions filed in Fiscal Year 1991. In comparison, the Court issued 1,668 opinions in Fiscal Year 1992 and 1,351 opinions in Fiscal Year 1991.

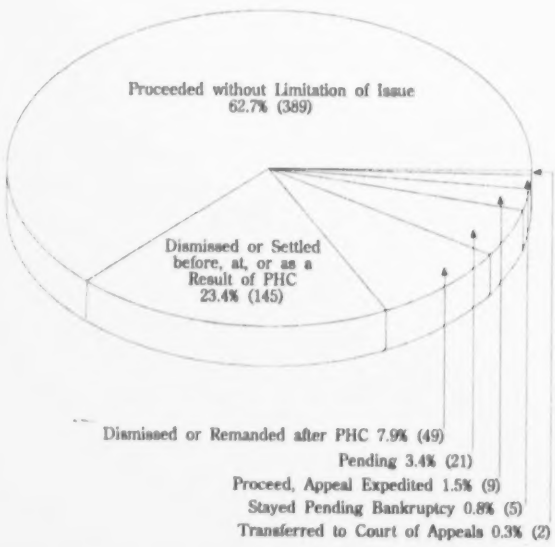
Pending

There were 963 cases pending before the Court of Special Appeals at the close of Fiscal Year 1993. This figure compares to 1,043 cases in Fiscal Year 1992, a decrease of 7.7 percent. The Fiscal Year 1993 included 12 cases pending from the 1989 Docket; three cases pending from the 1990 Docket; 10 cases pending

post conviction cases, 15 inmate grievance cases, 22 violation of probation cases, and 92 "other" miscellaneous cases. The "other" category includes habeas corpus/bail cases, motions for stay of execution of an order pending appeal, and appeals from guilty pleas. In disposing of cases on its miscellaneous docket, the Court granted 23 applications for leave to appeal and denied 307 such applications. There also were two cases that were remanded (Table CSA-6).

As indicated on Table CSA-10, the Court averaged 5.4 months from the docketing to argument of a case or to disposition without an argument. This figure compares to six months in Fiscal Year 1992 and 5.7 months in Fiscal Year 1991. The amount of time expended from argument to decision also decreased during Fiscal Year 1993, averaging 1.1 months, as compared to 1.4

TABLE CSA-5
DISPOSITION OF INFORMATION REPORTS
ASSIGNED FOR PREHEARING CONFERENCE
1992 TERM


Proceeded without Limitation of Issue
62.7% (389)
Dismissed or Settled
before, at, or as a
Result of PHC
23.4% (145)
Dismissed or Remanded after PHC 7.9% (49)
Pending 3.4% (21)
Proceed, Appeal Expedited 1.5% (9)
Stayed Pending Bankruptcy 0.8% (5)
Transferred to Court of Appeals 0.3% (2)

from the 1991 Docket; 338 cases pending from the 1992 Docket; and 600 cases pending from the 1993 Docket. Cases pending from the 1993 Docket primarily consist of matters that are scheduled for argument in September, while the other cases generally have been argued and are awaiting opinions (Table CSA-8).

Trends

Over the last five terms, the number of cases docketed on the regular docket in the Court of Special Appeals has increased by 10.3 percent, from 1,841 cases docketed during the 1988 Term to 2,031 cases docketed during the 1992 Term. Increases were noted each year, with the exception of the 1991 Term when a 3.9 percent decrease was reported. During the first four terms of the five-year period, the volume of criminal filings exceeded civil filings. However, during the 1992 Term, the number of criminal filings fell below the number of civil filings, accounting for 47 percent of the total caseload. This decline followed a 12 percent decrease in criminal filings over the last two terms. Civil filings have fluctuated throughout the five-year period with no discernible trend. The 1,076 civil filings docketed during the 1992 Term represent the greatest number of civil cases filed in the Court's history.

The number of cases disposed of by the Court of Special Appeals has increased over the last five fiscal years. During Fiscal Year 1989, the Court disposed of 1,811 cases on its regular docket. That figure compares to 2,047 cases during Fiscal Year 1993, an increase of approximately 13 percent. During the five-year period, there was one decrease reported by the Court; however, this decrease (three cases) was insignificant. In addition, the number of cases disposed of on the Court's miscellaneous docket increased by 44.3 percent. An increase in the number of filings docketed in the Court of Special Appeals has resulted in an increased pending caseload over the last five years. However, the Court, in an effort to effectively manage its caseload, employed an innovative management technique during the previous year, which reduced its pending caseload. Over the last two years, pending cases have decreased by nearly 10 percent. While reducing its pending caseload, the Court has maintained its ability to render expeditious decisions. In fact, over the last two years, the average amount of time from docketing to argument has decreased from 5.7 months in Fiscal Year 1991 to 5.4 months in Fiscal Year 1993.

In the coming years, the Court undoubtedly will be faced with a continued increase in filings, not only on the regular docket, but on the miscellaneous docket as well. The Court will continue to develop innovative and creative means to manage its demanding caseload, while maintaining an efficient level of service.

Dorchester County Circuit Court

TABLE CSA–6

FIVE-YEAR COMPARATIVE TABLE
DISPOSITION OF APPLICATIONS FOR LEAVE TO APPEAL
AND OTHER MISCELLANEOUS CASES

FISCAL 1989–FISCAL 1993

	1989	1990	1991	1992	1993
POST CONVICTION–TOTAL	**162**	**135**	**165**	**65**	**203**
Granted	7	7	18	9	19
Dismissed or Transferred	34	32	19	0	0
Denied	120	94	121	56	184
Remanded	1	2	7	0	0
INMATE GRIEVANCE–TOTAL	**19**	**17**	**13**	**23**	**15**
Granted	2	9	2	0	0
Dismissed or Transferred	1	0	0	0	0
Denied	16	8	11	23	15
Remanded	0	0	0	0	0
OTHER MISCELLANEOUS–TOTAL	**49**	**52**	**76**	**80**	**92**
Granted	3	3	9	3	3
Dismissed or Transferred	10	7	2	0	0
Denied	35	42	65	77	87
Remanded	1	0	0	0	2
VIOLATIONS OF PROBATION–TOTAL*	-	-	-	**25**	**22**
Granted	-	-	-	2	1
Dismissed or Transferred	-	-	-	1	0
Denied	-	-	-	22	21
Remanded	-	-	-	0	0

* Effective July 1, 1991, Violations of Probation were removed from the Direct Appeal docket. Anyone appealing from a Violation of Probation must now file an Application for Leave to Appeal.

TABLE CSA-7

CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Civil	Juvenile	Criminal	Total
Affirmed	414	12	723	1,149
Reversed	113	1	77	191
Dismissed—Opinion Filed	31	1	1	33
Dismissed Without Opinion	0	0	0	0
Remanded Without Affirmance or Reversal	17	0	4	21
Vacated and Remanded	45	3	11	59
Affirmed in Part, Reversed in Part	77	2	70	149
Dismissed Prior to Argument or Submission	257	10	107	374
Transferred to Court of Appeals	48	0	23	71
Origin				
1990 Docket	2	0	2	4
1991 Docket	120	8	233	361
1992 Docket	835	21	759	1,615
1993 Docket	45	0	22	67
Total Cases Disposed During Fiscal 1993	**1,002**	**29**	**1,016**	**2,047**

TABLE CSA-8

PENDING CASES
COURT OF SPECIAL APPEALS

Regular Docket
June 30, 1993

	Civil	Juvenile	Criminal	Total
Origin				
1989 Docket	11	0	1	12
1990 Docket	3	0	0	3
1991 Docket	7	1	2	10
1992 Docket	154	0	184	338
1993 Docket	338	0	262	600
Total Cases Pending at Close of Fiscal 1993	**513**	**1**	**449**	**963**

Includes pending cases to be heard in September Term 1993.

TABLE CSA-9

RELATIONSHIP BETWEEN COURT OF SPECIAL APPEALS FILINGS ON 1992 REGULAR DOCKET AND CIRCUIT COURT TRIALS IN FISCAL 1992

Jurisdiction	Court of Special Appeals 1992 Regular Docket	Circuit Court Fiscal 1992 Trials	Ratio of Appeals to Trials
Kent County	9	21	.43
Montgomery County	281	826	.34
Carroll County	29	178	.16
Somerset County	20	113	.18
Frederick County	33	151	.22
Washington County	44	188	.23
Baltimore City	448	2,795	.16
Harford County	69	224	.31
Prince George's County	294	2,571	.11
Queen Anne's County	14	138	.10
Dorchester County	26	234	.11
Wicomico County	44	400	.11
Caroline County	12	193	.06
Baltimore County	281	1,188	.24
Calvert County	11	205	.05
Anne Arundel County	159	1,878	.08
Charles County	46	456	.10
Allegany County	27	120	.23
Garrett County	8	140	.06
Talbot County	26	247	.11
Cecil County	49	456	.11
Howard County	71	627	.11
St. Mary's County	12	425	.03
Worcester County	18	629	.03
TOTAL	**2,031**	**14,403**	**.14**

TABLE CSA-10

AVERAGE TIME INTERVALS FOR CASES DISPOSED BY COURT OF SPECIAL APPEALS

Regular Docket

JULY 1, 1992–JUNE 30, 1993 FISCAL 1993

	Docketing to Argument or to Disposition Without Argument*	Argument to Decision**
Days	161	34
Months	5.4	1.1
Number of Cases	2,047	1,582

* Includes all cases disposed in Fiscal 1993.
** Includes all cases disposed in Fiscal 1993 which were argued.

TABLE CSA-11

FIVE-YEAR COMPARATIVE TABLE AVERAGE TIME INTERVALS FOR FILING OF APPEALS ON THE REGULAR DOCKET COURT OF SPECIAL APPEALS

(In Days and Months)

Docket	Original Filing to Disposition in Court Below	Disposition in Circuit Court to Docketing in Court of Special Appeals
1988	364	116
	12.1	3.9
1989	373	104
	12.4	3.5
1990	356	103
	11.9	3.4
1991	372	119
	12.4	4.0
1992	401	130
	13.4	4.3

The Circuit Courts

The Circuit Courts

Introduction

The circuit courts are the highest common law and equity courts of record exercising original jurisdiction within the State. Each has full common law and equity powers and jurisdiction in all civil and criminal cases within its county, along with all of the additional powers and jurisdiction conferred by the Constitution, except when jurisdiction has been limited or conferred upon another tribunal by statute.

In each county of the State and Baltimore City, there is a circuit court which is a trial court of general jurisdiction. Its jurisdiction is very broad but, generally, it handles the major civil cases and more serious criminal matters. The circuit courts also decide appeals from the District Court and certain administrative agencies.

The courts are grouped into eight geographical circuits. Each of the first seven circuits is comprised of two or more counties, while the Eighth Judicial Circuit only consists of Baltimore City. As of July 1, 1992, there were 123 circuit court judges, with at least one judge for each county and 25 in Baltimore City. Unlike the other three court levels in Maryland, there is no chief judge who is administrative head of the circuit courts. However, there are eight circuit administrative judges appointed by the Chief Judge of the Court of Appeals. They perform administrative duties in each of their respective circuits and are assisted by county administrative judges.

Each circuit court judge initially is appointed to office by the Governor and must stand for election at the next general election which follows, by at least one year, the vacancy the judge was appointed to fill. The judge may be opposed by one or more members of the bar. The successful candidate is elected to a fifteen-year term of office.

Filings

The circuit courts reported 270,765 total filings for Fiscal Year 1993. That figure represents an increase of 3.5 percent over the previous fiscal year, during which 261,663 total filings were reported. Increases were reported in two of the three functional areas with the greatest increase occurring in civil case filings. There were 149,229 civil filings reported in Fiscal Year 1992, compared with 158,185 in Fiscal Year 1993, an increase of 6 percent. An increase of 11.4 percent was reported in juvenile filings, from 38,372 in Fiscal Year 1992 to 42,744 in Fiscal Year 1993. Criminal case filings decreased by 5.7 percent, from 74,062 in Fiscal Year 1992 to 69,836 in Fiscal Year 1993 (Table CC-3).

Civil cases continue to account for more than half of the total filings reported annually, comprising more than 58 percent of the total filings reported in Fiscal Year 1993. That figure compares to 57 percent in Fiscal Year 1992 and 56.3 percent in Fiscal Year 1991. As previously mentioned, there were 158,185 civil filings reported for Fiscal Year 1993. The five largest jurisdictions — Baltimore City and Anne Arundel, Baltimore, Montgomery, and Prince George's Counties — contributed 117,254 filings or 74.1 percent of the total civil caseload during Fiscal Year 1993. The greatest number of civil filings, 32,111, was reported by Montgomery County. This figure represents a 17.5 percent increase over the 27,318 filings reported in that jurisdiction during Fiscal Year 1992. Baltimore City reported a 15.8 percent increase in civil filings, from 23,733 in Fiscal Year 1992 to 27,481 in Fiscal Year 1993. An increase of 5.3 percent was reported by Anne Arundel County, while Baltimore County reported a slight increase of less than one percent. Prince George's County was the only large jurisdiction to report a decrease in overall civil filings, from 26,457 during the previous fiscal year to the current level of 26,206 filings (Table CC-3).

Categorically, the greatest increase in civil filings occurred in "other law" cases. There were 7,445 cases filed in this category during Fiscal Year 1992, compared with 11,817 case filings during Fiscal Year 1993, an increase of nearly 59 percent. A rather substantial increase (75.8 percent) reported by Montgomery County contributed greatly to the increase in "other law" filings. Domestic-related cases, including divorce/nullity, adoption/guardianship, paternity, and other domestic relations, which accounted for 48.9 percent of the Fiscal Year 1993 civil caseload, increased by approximately 2.9 percent over the previous fiscal year. During Fiscal Year 1992, domestic-related cases comprised more than

50 percent of the civil caseload. Domestic violence cases were included in the civil case count as a separate category during Fiscal Year 1993. There were 999 domestic violence cases filed in the circuit courts during the fiscal year. Other categorical increases contributing to the overall increase in civil filings include an 11.9 percent increase in "other general" cases and a 5.6 percent increase in civil appeals. However, during the fiscal year, tort filings decreased by 4 percent, while a 7.3 percent decrease was reported in contract filings (Table CC-8).

In exercising jurisdiction formerly held by an orphan's court, the Circuit Court for Montgomery County reported that it conducted 260 hearings and signed 4,869 orders. The Circuit Court for Harford County, which exercises the same jurisdiction, recorded 35 hearings and signed 510 orders.

During Fiscal Year 1993, there were 69,836 criminal cases filed in the circuit courts. This figure represents 25.8 percent of the total caseload for the fiscal year. Criminal was the only category in which a decrease occurred during the year. Contributing to the overall decline were decreases in each of the five largest jurisdictions. Categorically, there was a reduction in indictment and information filings, motor vehicle appeals, and jury trial prayers. There was a 3.8 percent decrease reported in indictment and information filings, from 37,788 in Fiscal Year 1992 to 36,357 in Fiscal Year 1993. Three of the five largest jurisdictions reported decreases in indictment and information filings. A decrease of 1,368 cases or 9.4 percent was reported by Baltimore City, while Anne Arundel and Prince George's Counties reported decreases of 2.1 percent and 1.8 percent, respectively. Increases were reported by Montgomery County (15 percent) and Baltimore County (3.1 percent). Motor vehicle appeals decreased by 18.7 percent, from 2,405 in Fiscal Year 1992 to 1,955 in Fiscal Year 1993. Baltimore City and Baltimore and Montgomery Counties all reported decrease in motor vehicle appeals emanating from the District Court, contributing to the overall decline reported in that category.

Jury trial prayers decreased by 7.5 percent, from 26,262 during the previous fiscal year to the current level of 24,284 filings. Contributing to this reduction in filing activity were decreases reported by four of the five largest jurisdictions. Anne Arundel County reported a decrease of approximately 51 percent, from 2,599 in Fiscal Year 1992 to 1,274 in Fiscal Year 1993. There was an 18.4 percent decrease reported by Baltimore County, from 2,952 during the previous fiscal year to the current level of 2,409 filings. Similarly, Montgomery and Prince George's Counties reported decreases of 16 percent and 16.4 percent, respectively. The instant jury trial prayer program initiated in Anne Arundel, Baltimore, and Montgomery Counties contributed to the decreases reported by those jurisdictions. Baltimore City was the only large jurisdiction to report an increase in jury trial prayers. There were 5,450 filings reported during Fiscal Year 1992, compared with 4,317 in Fiscal Year 1993, an increase of 25.1 percent. This is the second consecutive increase reported by Baltimore

TABLE CC-1
CIRCUIT COURT-FILINGS BY FISCAL YEAR

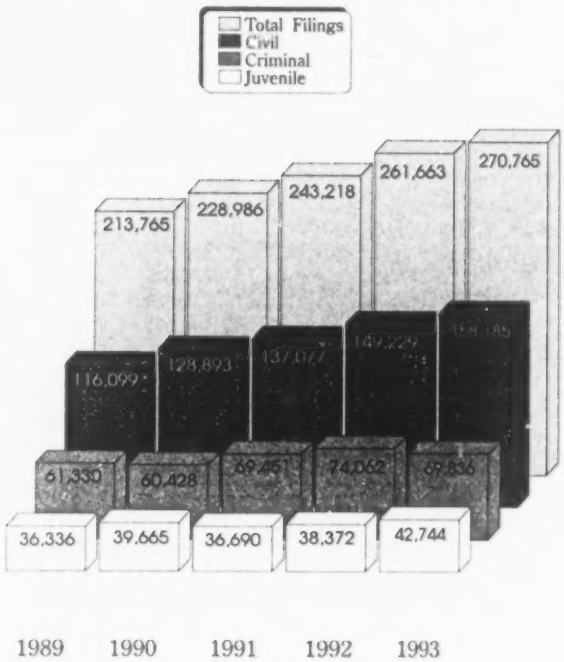


TABLE CC-2

FIVE-YEAR COMPARATIVE TABLE
ALL CASES
FILINGS AND TERMINATIONS

FISCAL 1989–FISCAL 1993

COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED

	1988-89		1989-90		1990-91		1991-92		1992-93	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**8,836**	**7,958**	**8,947**	**8,043**	**9,190**	**8,804**	**10,882**	**10,159**	**11,296**	**10,922**
Dorchester	1,800	1,278	1,792	1,683	1,674	1,586	2,218	1,916	2,068	2,121
Somerset	1,314	1,210	1,334	1,216	1,579	1,509	1,784	1,696	2,046	1,938
Wicomico	3,621	3,379	3,663	3,314	3,577	3,680	3,854	3,962	3,986	3,530
Worcester	2,101	2,091	2,158	1,830	2,360	2,029	3,026	2,585	3,196	3,333
SECOND CIRCUIT	**7,840**	**7,333**	**9,238**	**8,169**	**9,721**	**8,628**	**10,442**	**9,866**	**10,013**	**9,699**
Caroline	1,238	1,222	1,283	1,136	1,401	1,258	1,325	1,344	1,440	1,329
Cecil	3,194	2,979	3,817	3,031	4,001	3,359	4,633	4,155	4,413	4,076
Kent	661	575	883	746	966	832	1,437	1,319	1,171	1,274
Queen Anne's	1,306	1,210	1,654	1,585	1,648	1,514	1,342	1,418	1,388	1,440
Talbot	1,441	1,347	1,601	1,621	1,705	1,665	1,705	1,630	1,601	1,580
THIRD CIRCUIT	**33,334**	**29,395**	**33,713**	**29,639**	**31,995**	**28,286**	**33,492**	**29,987**	**32,815**	**30,645**
Baltimore	26,371	22,694	27,274	24,318	25,384	22,994	25,736	22,365	25,455	24,573
Harford	6,963	6,701	6,439	5,321	6,611	5,292	7,756	7,622	7,360	6,072
FOURTH CIRCUIT	**8,097**	**7,225**	**8,832**	**7,245**	**8,645**	**7,997**	**9,350**	**8,759**	**9,099**	**8,480**
Allegany	2,226	1,857	2,296	1,862	2,366	2,148	2,576	2,581	2,795	2,578
Garrett	949	882	1,063	946	1,090	1,082	1,131	1,111	1,099	1,094
Washington	4,922	4,486	5,473	4,437	5,189	4,767	5,643	5,067	5,205	4,808
FIFTH CIRCUIT	**26,808**	**21,073**	**31,675**	**29,299**	**38,995**	**33,499**	**40,074**	**34,229**	**39,866**	**39,161**
Anne Arundel	16,565	11,661	19,960	18,956	26,633	23,137	26,798	21,747	26,250	27,030
Carroll	4,247	3,959	4,563	3,955	4,978	4,038	5,581	4,653	6,236	4,934
Howard	5,996	5,453	7,152	6,388	7,384	6,324	7,695	7,829	7,380	7,197
SIXTH CIRCUIT	**30,860**	**25,367**	**33,916**	**22,557**	**34,551**	**22,688**	**43,971**	**31,660**	**48,564**	**38,322**
Frederick	4,159	3,272	4,787	4,437	5,281	4,095	5,289	4,195	5,155	4,759
Montgomery*	26,701	22,095	29,129	18,120	29,270	18,593	38,682	27,465	43,409	33,563
SEVENTH CIRCUIT	**46,932**	**41,021**	**49,807**	**43,734**	**50,728**	**43,156**	**52,777**	**45,916**	**61,999**	**46,841**
Calvert	1,793	1,779	2,913	2,206	2,868	3,076	2,904	2,804	2,807	2,813
Charles	4,825	4,137	4,741	3,884	4,934	4,275	5,539	5,048	5,456	5,012
Prince George's	36,533	31,928	38,931	34,718	39,037	32,442	40,082	34,577	39,748	35,686
St. Mary's	3,781	3,177	3,222	2,926	3,889	3,363	4,252	3,487	3,988	3,330
EIGHTH CIRCUIT	**51,058**	**42,802**	**52,858**	**45,815**	**59,393**	**52,863**	**60,675**	**57,662**	**67,113**	**61,736**
Baltimore City	51,058	42,802	52,858	45,815	59,393	52,863	60,675	57,662	67,113	61,736
STATE	**213,765**	**182,174**	**228,986**	**194,501**	**243,218**	**205,921**	**261,663**	**228,238**	**270,765**	**245,806**

*Includes juvenile cases processed at the District Court level.
NOTE: See note on Table CC-17.

TABLE CC-3

COMPARATIVE TABLE ON FILINGS IN THE CIRCUIT COURTS

FISCAL 1992–FISCAL 1993

	CIVIL			CRIMINAL			JUVENILE			TOTAL		
	1991-92	1992-93	% Change	1991-92	1992-93	% Change	1991-92	1992-93	% Change	1991-92	1992-93	% Change
FIRST CIRCUIT												
Dorchester	1,360	1,398	2.8	659	496	-24.7	199	174	-12.6	2,218	2,068	-6.8
Somerset	1,061	1,299	22.4	588	590	0.3	135	157	16.3	1,784	2,046	14.7
Wicomico	2,305	2,502	8.5	1,255	1,227	-2.2	294	257	-12.6	3,854	3,986	3.4
Worcester	1,647	1,646	-0.1	1,101	1,304	18.4	278	246	-11.5	3,026	3,196	5.6
SECOND CIRCUIT												
Caroline	1,064	1,087	2.2	187	200	7.0	74	153	106.8	1,325	1,440	8.7
Cecil	2,677	2,631	-1.7	1,271	1,136	-10.6	685	646	-5.7	4,633	4,413	-4.7
Kent	1,146	927	-19.1	225	198	-12.0	66	46	-30.3	1,437	1,171	-18.5
Queen Anne's	901	953	5.8	205	192	-6.3	236	243	3.0	1,342	1,388	3.4
Talbot	1,024	998	-2.5	447	385	-13.9	234	218	-6.8	1,705	1,601	-6.1
THIRD CIRCUIT												
Baltimore County	15,088	15,098	0.1	7,200	6,801	-5.5	3,448	3,556	3.1	25,736	25,455	-1.1
Harford	4,246	4,071	-4.1	2,601	2,526	-2.9	909	763	-16.1	7,756	7,360	-5.1
FOURTH CIRCUIT												
Allegany	1,805	2,030	12.5	442	483	9.3	329	282	-14.3	2,576	2,795	8.5
Garrett	863	818	-5.2	153	124	-19.0	115	157	36.5	1,131	1,099	-2.8
Washington	3,424	3,130	-8.6	1,529	1,445	-5.5	690	630	-8.7	5,643	5,205	-7.8
FIFTH CIRCUIT												
Anne Arundel	15,537	16,358	5.3	7,626	6,174	-19.0	3,635	3,718	2.3	26,798	26,250	-2.0
Carroll	2,903	3,206	10.4	2,059	2,482	20.5	619	548	-11.5	5,581	6,236	11.7
Howard	3,671	3,837	4.5	3,310	2,729	-17.6	714	814	14.0	7,695	7,380	-4.1
SIXTH CIRCUIT												
Frederick	3,230	2,944	-8.9	1,365	1,570	15.0	694	641	-7.6	5,289	5,155	-2.5
Montgomery*	27,318	32,111	17.5	6,352	6,214	-2.2	5,012	5,084	1.4	38,682	43,409	12.2
SEVENTH CIRCUIT												
Calvert	1,411	1,352	-4.2	1,034	960	-7.2	459	495	7.8	2,904	2,807	-3.3
Charles	3,684	3,608	-2.1	1,310	1,214	-7.3	545	634	16.3	5,539	5,456	-1.5
Prince George's	26,457	26,206	-0.9	9,005	8,442	-6.3	4,620	5,100	10.4	40,082	39,748	-0.8
St. Mary's	2,674	2,494	-6.7	1,118	1,093	-2.2	460	401	-12.8	4,252	3,988	-6.2
EIGHTH CIRCUIT												
Baltimore City	23,733	27,481	15.8	23,020	21,851	-5.1	13,922	17,781	27.7	60,675	67,113	10.6
STATE	**149,229**	**158,185**	**6.0**	**74,062**	**69,836**	**-5.7**	**38,372**	**42,744**	**11.4**	**261,663**	**270,765**	**3.5**

*Includes juvenile cases processed at the District Court level

City. The total of 11,434 jury trial prayers reported by the other nineteen counties remained relatively consistent with last year's total (Table CC-5).

With combined filings of 49,482, the five largest jurisdictions accounted for 70.9 percent of the criminal cases reported during Fiscal Year 1993. The greatest number of cases, 21,851, was reported by Baltimore City. This figure represents a decrease of 5.1 percent from the 23,020 filings reported in Fiscal Year 1992. Prince George's County followed with 8,442 criminal filings, a decrease of 6.3 percent from the previous fiscal year. There were 6,352 criminal filings reported by Montgomery County in Fiscal Year 1992 compared to 6,214 filings in Fiscal Year 1993, a decrease of 2.2 percent. Anne Arundel and Baltimore Counties reported decreases of 19 percent and 5.5 percent, respectively. There were 6,174 criminal filings reported by Anne Arundel County, compared with 7,626 filings in Fiscal Year 1992. Baltimore County reported 6,801 criminal filings, compared with 7,200 filings in Fiscal Year 1992 (Table CC-22).

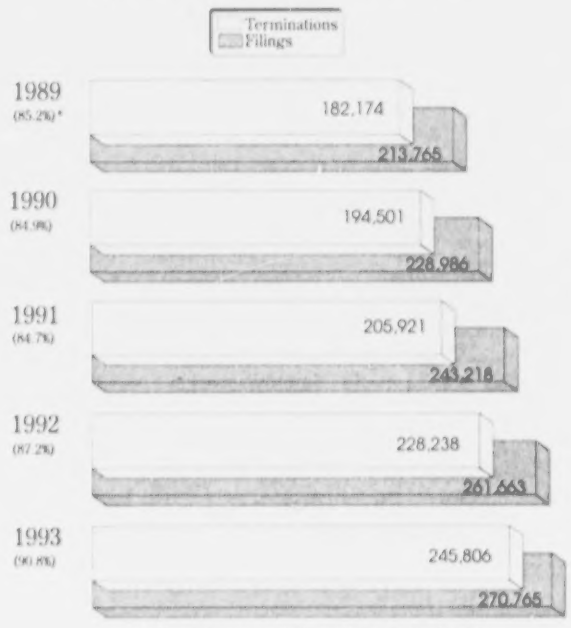
Juvenile matters comprised of nearly 16 percent of the circuit court caseload in Fiscal Year 1993. There was an 11.4 percent increase in juvenile filings, from 38,372 in Fiscal Year 1992 to 42,744 filings in Fiscal Year 1993. Delinquency filings, which increased by 14 percent, accounted for 76.4 percent of all juvenile filings during Fiscal Year 1993. This figure compares with 74.6 percent in Fiscal Year 1992. There were 28,634 delinquency filings reported in Fiscal Year 1992, compared with the current level of 32,648 filings. Child in Need of Assistance (C.I.N.A.) filings also increased during the year by 3.8 percent, from 9,162 during the previous fiscal year to 9,512 reported for Fiscal Year 1993.

The greatest number of juvenile filings was reported by Baltimore City. There were 17,781 filings reported by this jurisdiction, an increase of 27.7 percent over the previous year's total of 13,922 juvenile filings. Contributing most significantly to the increase was the 33.3 percent rise in reported delinquency filings, from 10,312 in Fiscal Year 1992 to 13,746 in Fiscal Year 1993. Prince George's County reported 5,100 total juvenile filings for Fiscal Year 1993. This figure represents a 10.4 percent increase over the 4,620 filings reported in Fiscal Year 1992. A 42.8 percent increase in C.I.N.A. filings in Prince George's County contributed to this statistic. Anne Arundel and Baltimore Counties reported increases of 2.3 percent and 3.1 percent, respectively, while Montgomery County's increase was reported to be less than 2 percent (Table CC-27).

Terminations

For the fourth consecutive year, an increase was reported in the number of terminations in the circuit courts. There were 245,806 terminations reported for Fiscal Year 1993, an increase of 7.7 percent over the 228,238 reported during the previous year (Table CC-2). Increases were reported in civil and juvenile terminations, while criminal terminations decreased for the first time since Fiscal Year 1983. The ratio of terminations as a percentage of filings was 90.8 percent for Fiscal Year 1993. This

TABLE CC-4
TERMINATIONS AS A PERCENTAGE
OF FILINGS IN THE CIRCUIT COURTS



* The percentage of filings that are terminated.

figure compares to 87.2 percent in Fiscal Year 1992 and 84.7 percent in Fiscal Year 1991 (Table CC-4).

Civil terminations increased by 11.6 percent, from 124,829 in Fiscal Year 1992 to 139,267 in Fiscal Year 1993. Contributing to this statistic were increases in contract, "other law," administrative agency appeals, and domestic-related terminations. The greatest increase, 73.6 percent, occurred in the "other law" category. This significant rise in terminations may be attributed to the increase reported by Montgomery County, from 1,941 in Fiscal Year 1992 to 4,037 in Fiscal Year 1993. Contract terminations increased by 13.8 percent, from 14,175 in Fiscal Year 1992 to 16,126 in Fiscal Year 1993. Increases in domestic-related terminations and terminations of administrative appeals were reported to be 9.9 percent and 9.8 percent, respectively.

The five largest jurisdictions terminated a total of 102,240 civil cases, representing a 17.5 percent increase over the 87,028 cases terminated during the previous fiscal year. Montgomery County reported the greatest number of terminations with 23,879, an increase of 29.8 percent over Fiscal Year 1992. Baltimore City and Prince George's County followed with 23,322 and 23,113 terminations, respectively. Baltimore City's figure represents a 6.4 percent increase over Fiscal Year 1992 while an increase of approximately 1 percent was reported by Prince George's County. Anne Arundel County reported 17,233 civil terminations, an increase of 47 percent over Fiscal Year 1992. Increases in motor tort (68.4 percent), contract (75 percent), administrative agency appeals (183.6 percent), and domestic-related terminations (26.3 percent), contributed to this increase in Anne Arundel County. Baltimore County's reported 14,693 civil terminations represents an increase of 21.3 percent over the previous fiscal year. The increase reported by Baltimore County can be attributed to an 89.6 percent increase in "other law" terminations, as well as a 55 percent increase in terminations of appeals from administrative appeals. Increases also were noted in the termination of motor tort cases (18.1 percent) and domestic-related cases (18.3 percent) for that jurisdiction.

During Fiscal Year 1993, there were 40,112 juvenile terminations reported. This figure represents an increase of 14.8 percent over the 34,951 terminations reported during the previous year. Categorically, the increase reported in juvenile terminations can be attributed to a 15.9 percent increase in delinquency cases and a 12.4 percent increase in C.I.N.A. cases. There were 33,075 juvenile terminations reported by the five largest jurisdictions, representing an increase of 20 percent over the previous fiscal year total of 27,558 terminations. Baltimore City reported the greatest number of terminations with 16,181, an increase of 31.7 percent over the 12,289 terminations reported during Fiscal Year 1992. This figure is attributable to a 32.5 percent rise in delinquency terminations and a 28.3 percent increase in C.I.N.A. terminations. Montgomery County followed with 5,144 terminations. This figure compares with 4,906 terminations in Fiscal Year 1992, an increase of 4.9 percent. Juvenile termination activity increased in Prince George's County to 4,885 cases in Fiscal Year 1993, while Anne Arundel and Baltimore

Wicomico County Circuit Court

Counties reported 3,560 and 3,305 juvenile terminations, respectively (Table CC-27). The increase in Prince George's County can be attributed to the rather significant increase in C.I.N.A. terminations, from 419 in Fiscal Year 1992 to 1,145 in Fiscal Year 1993.

As previously mentioned, criminal terminations decreased for the first time in approximately ten years. There were 66,427 criminal terminations reported in Fiscal Year 1993, a decrease of 3 percent from the 68,458 terminations reported in Fiscal Year 1992. Four of the five largest jurisdictions reported decreases in criminal terminations during Fiscal Year 1993. Baltimore County reported the greatest decrease, 8.8 percent, from 7,212 in Fiscal Year 1992 to 6,575 in Fiscal Year 1993. A 22.3 percent decrease in jury trial prayer terminations contributed to the reported decrease. Baltimore City followed, decreasing by 5.2 percent. There were 23,447 terminations reported in Fiscal Year 1992 compared to 22,233 terminations in Fiscal Year 1993. Terminations of criminal indictments and informations decreased by 10 percent during the fiscal year, contributing to the overall decline in Baltimore City. There was a 4.6 percent decrease reported by Anne Arundel County, from 6,538 in Fiscal Year 1992 to 6,237 in Fiscal Year 1993. Jury trial prayer terminations decreased by 33.2 percent during Fiscal Year 1993 in that jurisdiction as well. Prince George's County also reported a decrease in criminal terminations. There were 7,864 terminations reported in Fiscal Year 1992, compared with 7,688 in Fiscal Year 1993, a decrease of 2.2 percent. An 11.1 percent decrease in jury trial prayer terminations contributed to the overall reduction. The only large jurisdiction to report an increase in criminal terminations was Montgomery County. There was an 8.9 percent increase reported in that jurisdiction, from 4,169 in Fiscal Year 1992 to 4,540 in Fiscal Year 1993. Contributing to this figure was Montgomery County's reported 36.3 increase in indictment and information terminations, from 1,558 in Fiscal Year 1992 to 2,123 in Fiscal Year 1993.

Court Trials, Jury Trials, and Hearings

During Fiscal Year 1993, the circuits courts conducted 278,374 judicial proceedings. The proceedings occupied 284,274 courtroom days. In comparison, there were 254,203 judicial proceedings, occupying 259,968 courtroom days in Fiscal Year 1992. Approximately 94.5 percent (262,944) of the proceedings were hearings, while 4.3 percent (12,113) were court trials, and 1.2 percent (3,317) were jury trials (Table CC-11). There were 78,680 civil hearings, 92,995 criminal hearings, and 91,269 juvenile hearings conducted during Fiscal Year 1993. With respect to distribution of trials, 63.4 percent (7,685) of the court trials were civil in nature, while 54.1 percent (1,795) of the jury trials involved cases of a criminal nature (Table CC-10).

Elapsed Time of Case Dispositions

The average case disposition time for civil and juvenile cases decreased during Fiscal Year 1993, while criminal case disposition time remained consistent with the previous fiscal year. During Fiscal Year 1993, civil cases averaged 190 days from filing to disposition, a decrease of 14 days from the 204 days reported in Fiscal Year 1992. Likewise, the average amount of time expended from filing to disposition of a juvenile case decreased by 11 days, from 89 days in Fiscal Year 1992 to 78 days in Fiscal Year 1993. The average disposition time for criminal cases during Fiscal Year 1993 was 112 days, which was the same as the previous fiscal year. It should be noted that the above elapsed times reflect the averages once the older inactive cases have been excluded (Table CC-13).

Pending

At the close of Fiscal Year 1993, the circuit courts had 276,899 pending cases. This figure represents an increase of approximately 1.5 percent from the previous fiscal year. Contributing to the increase in pending cases was a 24.6 percent rise in pending juvenile cases, from 18,245 in Fiscal Year 1992 to 22,733 in Fiscal Year 1993. An increase in pending juvenile cases in Baltimore City (28.6 percent) also was a factor (Table CC-28). Baltimore City's increase in its pending caseload corresponds with an increase in juvenile filings. As depicted in Table CC-18, the pending civil caseload remained relatively constant in Fiscal Year 1993. There were 186,966 civil cases pending at the close of Fiscal Year 1992, compared with 186,855 at the close of Fiscal Year 1993. The number of criminal cases pending remained consistent with the previous year. Nearly 82 percent of the pending caseload were attributable to by the five largest jurisdictions (Table CC-6).

Trends

Over the last five years, total filings in the circuit courts have increased by 26.7 percent, from 213,765 in Fiscal Year 1989 to 270,765 in Fiscal Year 1993. Increases were noted each year, with an average yearly increase of 11,400 filings during the five-year period. Civil filings have increased consistently since Fiscal Year 1989, while a steady increase in juvenile filings has occurred over the last two years. Criminal filings decreased during Fiscal Year 1993, marking the second decrease in the five-year period.

Civil filings have increased by 36.3 percent since Fiscal Year 1989. There were 116,099 civil filings reported in Fiscal Year 1989, compared with 158,185 in Fiscal Year 1993. Increases in several categories, including contract cases, appeals from administrative agencies, and domestic-related filings, contributed to the increase reported in civil filings over the five-year period. Contract filings have risen by more than 38 percent since Fiscal Year 1989, from 10,312 to the present level of 14,252 filings. An increase of 55.7 percent was observed in appeals from administrative agencies from 2,547 in Fiscal Year 1989 to 3,966 in Fiscal Year 1993, while domestic-related filings rose by 22.8 percent. There were 63,027 domestic-related cases filed during Fiscal Year 1989 compared to 77,394 during Fiscal Year 1993.

Since declining during Fiscal Year 1991, juvenile filings have increased by 16.5 percent. Over the last five fiscal years, a 17.6 percent increase has occurred in juvenile filings, from 36,336 in Fiscal Year 1989 to 42,744 in Fiscal Year 1993. From Fiscal Year 1990 to Fiscal Year 1991, delinquency and C.I.N.A. filings decreased by 6.7 percent and 11.1 percent, respectively. However, since that time, both of these categories have increased steadily. Over the five-year period, the greatest increase has occurred in delinquency filings, from 26,508 in Fiscal Year 1989 to 32,648 in Fiscal Year 1993.

As previously mentioned, criminal filings have decreased twice during the last five fiscal years. In both instances, the decline in jury trial prayer activity was a factor. The first decrease, 1.5 percent, was reported in Fiscal Year 1990. During that year, jury trial prayers decreased by 11.3 percent. That decrease, coupled with a 10.7 percent increase in indictment and information filings, resulted in the slight general decline in criminal filings. During Fiscal Year 1993, jury trial prayers decreased by 7.5 percent. Although criminal filings have decreased twice during the past five years, criminal filings in the circuit courts have generally increased by 13.9 percent. During that time period, the overall change in jury trial prayers was a 22.7 percent decrease, while indictment and information filings increased by 42.3 percent.

The above figures indicate a continuing upward trend in caseloads in the circuit courts. Although criminal filings decreased twice during the last five years, the increase in indictment and information filings suggests an increase in criminal activity throughout the State. The decrease in jury trial prayers can be attributed to the implementation of instant jury trial programs in several of the larger jurisdictions. The initial effect of these programs was evident during Fiscal Year 1990, when the first decrease occurred in jury trial prayers emanating from the District Court. The increase in indictment and information filings, coupled with rising in delinquency and civil filings and, will undoubtedly result in burgeoning caseloads within the circuit courts.

TABLE CC-5

JURY TRIAL PRAYERS

	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
Baltimore City*	3,209	4,128	5,948	7,407	8,698	8,714	7,905	4,061	3,140	3,450	4,317
Anne Arundel County	392	459	720	922	1,066	1,343	2,037	2,045	2,383	2,599	1,274
Baltimore County	1,424	1,513	2,245	3,363	4,348	4,683	5,499	5,691	4,002	2,952	2,409
Montgomery County	1,223	1,924	2,631	2,511	3,560	3,955	3,709	2,210	1,810	2,493	2,093
Prince George's County	1,583	2,755	4,043	4,348	4,003	3,111	2,937	3,314	2,955	3,297	2,757
All Other Counties	1,930	2,414	3,593	4,733	6,569	7,978	9,339	10,562	10,814	11,471	11,434
Total	**9,761**	**13,193**	**19,180**	**23,284**	**28,244**	**29,784**	**31,426**	**27,883**	**25,104**	**26,262**	**24,284**

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

TABLE CC-6

TOTAL CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1992–1993
FISCAL 1993

	PENDING			PENDING
	Beginning of Year	Filed	Terminated	End of Year
FIRST CIRCUIT	**4,867**	**11,296**	**10,922**	**5,241**
Dorchester	1,078	2,068	2,121	1,025
Somerset	681	2,046	1,938	789
Wicomico	1,346	3,986	3,530	1,802
Worcester	1,762	3,196	3,333	1,625
SECOND CIRCUIT	**5,378**	**10,013**	**9,699**	**5,692**
Caroline	575	1,440	1,329	686
Cecil	3,052	4,413	4,076	3,389
Kent	545	1,171	1,274	442
Queen Anne's	576	1,388	1,440	524
Talbot	630	1,601	1,580	651
THIRD CIRCUIT	**35,433**	**32,815**	**30,645**	**37,603**
Baltimore County	29,125	25,455	24,573	30,007
Harford	6,308	7,360	6,072	7,596
FOURTH CIRCUIT	**6,505**	**9,099**	**8,480**	**7,124**
Allegany	2,043	2,795	2,578	2,260
Garrett	451	1,099	1,094	456
Washington	4,011	5,205	4,808	4,408
FIFTH CIRCUIT	**35,742**	**39,866**	**39,161**	**36,447**
Anne Arundel	25,867	26,250	27,030	25,087
Carroll	4,064	6,236	4,934	5,366
Howard	5,811	7,380	7,197	5,994
SIXTH CIRCUIT	**40,203**	**48,564**	**38,322**	**50,445**
Frederick	4,094	5,155	4,759	4,490
Montgomery	36,109	43,409	33,563	45,955
SEVENTH CIRCUIT	**42,392**	**51,999**	**46,841**	**47,550**
Calvert	1,398	2,807	2,813	1,392
Charles	4,084	5,456	5,012	4,528
Prince George's	33,991	39,748	35,686	38,053
St. Mary's	2,919	3,988	3,330	3,577
EIGHTH CIRCUIT	**81,420**	**67,113**	**61,736**	**86,797**
Baltimore City	81,420	67,113	61,736	86,797
STATE	**251,940**	**270,765**	**245,806**	**276,899**

NOTE: The beginning inventory figures have been adjusted to reflect additions and deletions of cases resulting from routine maintenance and the removal of old cases that were actually terminated in a prior fiscal year. This adjustment is also reflected in Tables CC-18, CC-23, and CC-28.

TABLE CC-7

PERCENTAGES OF ORIGINAL AND REOPENED CASES FILED

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	CIVIL		CRIMINAL		JUVENILE		TOTAL (100%)
	Number	Percent	Number	Percent	Number	Percent	
FIRST CIRCUIT	**6,845**	**60.6**	**3,617**	**32.0**	**834**	**7.4**	**11,296**
Dorchester	1,398	67.6	496	24.0	174	8.4	2,068
Somerset	1,299	63.5	590	28.8	157	7.7	2,046
Wicomico	2,502	62.8	1,227	30.8	257	6.4	3,986
Worcester	1,646	51.5	1,304	40.8	246	7.7	3,196
SECOND CIRCUIT	**6,596**	**65.9**	**2,111**	**21.1**	**1,306**	**13.0**	**10,013**
Caroline	1,087	75.5	200	13.9	153	10.6	1,440
Cecil	2,631	59.6	1,136	25.7	646	14.6	4,413
Kent	927	79.2	198	16.9	46	3.9	1,171
Queen Anne's	953	68.7	192	13.8	243	17.5	1,388
Talbot	998	62.3	385	24.0	218	13.6	1,601
THIRD CIRCUIT	**19,169**	**58.4**	**9,327**	**28.4**	**4,319**	**13.2**	**32,815**
Baltimore County	15,098	59.3	6,801	26.7	3,556	14.0	25,455
Harford	4,071	55.3	2,526	34.3	763	10.4	7,360
FOURTH CIRCUIT	**5,978**	**65.7**	**2,052**	**22.6**	**1,069**	**11.7**	**9,099**
Allegany	2,030	72.6	483	17.3	282	10.1	2,795
Garrett	818	74.4	124	11.3	157	14.3	1,099
Washington	3,130	60.1	1,445	27.8	630	12.1	5,205
FIFTH CIRCUIT	**23,401**	**58.7**	**11,385**	**28.6**	**5,080**	**12.7**	**39,866**
Anne Arundel	16,358	62.3	6,174	23.5	3,718	14.2	26,250
Carroll	3,206	51.4	2,482	39.8	548	8.8	6,236
Howard	3,837	52.0	2,729	37.0	814	11.0	7,380
SIXTH CIRCUIT	**35,055**	**72.2**	**7,784**	**16.0**	**5,725**	**11.8**	**48,564**
Frederick	2,944	57.1	1,570	30.5	641	12.4	5,155
Montgomery*	32,111	74.0	6,214	14.3	5,084	11.7	43,409
SEVENTH CIRCUIT	**33,660**	**64.7**	**11,709**	**22.5**	**6,630**	**12.8**	**51,999**
Calvert	1,352	48.2	960	34.2	495	17.6	2,807
Charles	3,608	66.1	1,214	22.3	634	11.6	5,456
Prince George's	26,206	65.9	8,442	21.2	5,100	12.8	39,748
St. Mary's	2,494	62.5	1,093	27.4	401	10.1	3,988
EIGHTH CIRCUIT	**27,481**	**40.9**	**21,851**	**32.6**	**17,781**	**26.5**	**67,113**
Baltimore City	27,481	40.9	21,851	32.6	17,781	26.5	67,113
STATE	**158,185**	**58.4**	**69,836**	**25.8**	**42,744**	**15.8**	**270,765**

*Juvenile cases heard at District court level.

TABLE CC-8

CATEGORIES OF FILINGS
ORIGINAL AND REOPENED CASES FILED

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
TOTAL CIVIL	**1,358**	**1,299**	**2,592**	**1,646**	**1,087**	**2,831**	**927**	**953**	**998**	**15,098**	**4,071**	**2,030**	**818**	**3,130**	**16,358**	**3,206**	**3,837**	**2,941**	**32,111**	**1,392**	**3,608**	**26,206**	**2,494**	**27,481**	**158,185**
MOTOR TORT	19	6	79	36	12	105	8	35	22	1,463	259	59	17	90	877	121	248	105	1,205	61	230	2,343	108	3,282	10,793
OTHER TORT	3	5	18	14	7	20	9	10	8	469	35	12	14	30	186	28	88	81	690	22	63	765	9	1,610	4,196
CONTRACT	9	7	56	72	9	24	26	19	35	1,393	55	9	35	106	1,201	70	428	192	8,523	41	118	1,126	40	658	14,252
CONDEMNATION	1	0	2	0	0	2	0	1	0	20	9	0	1	2	25	3	1	4	15	0	2	6	1	23	118
CONTESTED CONFESSED JUDGMENT	0	3	4	1	0	0	1	9	3	4	3	0	0	3	7	4	7	2	2	1	2	0	0	210	266
OTHER LAW	31	26	49	22	0	160	14	0	1	1,357	190	84	7	2	611	9	0	92	8,395	61	4	610	37	55	11,817
APPEALS																									
District Court--On Record	5	0	4	9	1	6	1	5	2	56	19	0	6	5	59	9	22	8	56	5	6	18	1	18	281
District Court--De Novo	2	2	9	4	3	8	4	4	3	163	30	10	2	17	59	11	49	26	196	6	16	98	2	58	782
Administrative Agency	29	45	81	23	15	65	8	21	20	730	170	84	36	112	436	125	129	86	457	43	67	464	40	680	3,966
UNREPORTED LAW	0	0	0	0	0	0	0	0	0	1	0	0	0	0	20	0	0	0	0	0	0	0	0	0	21
DIVORCE/NULLITY	209	164	719	262	215	500	172	176	230	3,630	889	475	138	691	3,955	729	1,133	909	3,551	310	841	5,076	653	3,715	29,342
OTHER DOMESTIC RELATIONS	367	393	450	289	249	628	189	162	50	2,315	520	59	250	490	1,530	844	656	578	219	261	676	5,231	463	1,129	17,998
ADOPTION/GUARDIANSHIP	35	5	44	26	23	74	11	16	33	281	134	31	29	98	517	131	57	110	755	38	53	318	56	494	3,369
PATERNITY	559	510	646	488	407	642	378	229	289	1,392	695	539	139	644	3,320	264	374	330	1,232	172	1,043	5,898	698	5,797	26,685
DOMESTIC VIOLENCE	6	17	1	1	16	6	11	4	5	55	85	8	22	11	60	73	21	10	159	22	56	149	33	168	999
OTHER GENERAL	118	111	325	392	129	377	94	259	163	1,702	569	657	112	507	3,299	777	568	394	3,938	301	412	4,059	328	9,307	28,898
UNREPORTED CATEGORY	5	5	15	7	1	14	1	3	134	67	409	3	10	322	236	8	56	17	2,718	5	19	45	25	277	4,402
TOTAL JUVENILE	**174**	**157**	**257**	**246**	**153**	**646**	**46**	**243**	**218**	**3,556**	**763**	**282**	**157**	**630**	**3,718**	**548**	**814**	**641**	**5,084**	**496**	**634**	**5,100**	**401**	**17,781**	**42,744**
DELINQUENCY	93	109	206	203	109	290	35	211	166	2,880	517	151	63	354	2,854	464	714	498	3,822	325	525	3,984	329	13,746	32,648
ADULT	0	0	0	0	1	0	0	0	0	1	1	0	0	0	0	13	0	0	5	0	8	1	3	1	34
CHILD IN NEED OF SUPERVISION	0	2	2	0	1	4	4	11	0	4	0	32	12	10	6	14	5	16	67	2	2	6	0	287	487
CHILD IN NEED OF ASSISTANCE	81	46	49	41	39	352	7	18	45	661	244	99	80	263	853	54	95	118	1,188	164	99	1,108	67	3,741	9,512
UNREPORTED CATEGORY	0	0	0	2	3	0	0	3	7	10	1	0	2	3	5	3	0	9	2	4	0	1	2	8	63
TOTAL CRIMINAL	**496**	**590**	**1,227**	**1,304**	**200**	**1,136**	**196**	**192**	**365**	**6,801**	**2,526**	**483**	**124**	**1,445**	**6,174**	**2,482**	**2,729**	**1,570**	**6,214**	**960**	**1,214**	**8,442**	**1,093**	**21,951**	**69,836**
INDICTMENT INFORMATION	212	165	528	298	96	248	69	87	237	3,373	931	163	66	517	4,132	492	990	526	2,959	570	759	5,242	510	13,187	36,357
APPEALS FROM DISTRICT COURT																									
Motor Vehicle	18	12	11	19	9	25	2	14	15	426	67	16	4	22	217	165	156	65	369	10	23	75	0	215	1,955
Other	18	15	38	25	15	22	3	8	20	497	40	21	4	51	213	45	49	41	467	11	15	162	8	649	2,437
JURY TRIAL PRAYED--MOTOR	49	121	166	335	41	444	24	27	36	564	740	92	19	308	450	753	681	448	908	172	120	943	174	521	8,136
JURY TRIAL PRAYED--OTHER	174	275	454	615	21	339	94	41	73	1,845	714	179	29	511	824	984	841	474	1,185	191	275	1,814	400	6,950	19,302
NON SUPPORT	0	0	0	0	0	0	1	0	0	47	0	0	0	1	47	0	0	0	0	0	0	0	0	0	96
POST CONVICTION	7	1	20	0	8	18	3	13	0	0	6	1	1	17	1	0	12	0	2	3	15	66	0	100	294
UNREPORTED CATEGORY	18	1	10	12	10	40	2	2	4	49	28	11	1	18	290	43	0	16	324	3	7	140	1	229	1,259
STATE	**2,068**	**2,046**	**3,986**	**3,196**	**1,440**	**4,413**	**1,171**	**1,388**	**1,601**	**25,455**	**7,360**	**2,795**	**1,099**	**5,205**	**26,250**	**6,236**	**7,380**	**5,155**	**43,409**	**2,807**	**5,456**	**39,748**	**3,988**	**67,113**	**270,765**

NOTE See note on Table CC-17

TABLE CC-9

CATEGORIES OF TERMINATIONS
TERMINATIONS OF ORIGINAL AND REOPENED CASES FILED

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	TOTAL
TOTAL CIVIL	**1,432**	**1,130**	**2,236**	**1,785**	**1,006**	**2,454**	**998**	**1,000**	**1,008**	**14,693**	**3,261**	**1,864**	**622**	**2,732**	**17,233**	**2,305**	**3,508**	**2,824**	**23,879**	**1,352**	**3,327**	**23,113**	**1,981**	**23,322**	**139,267**
MOTOR TORT	25	12	90	45	18	93	14	38	23	1,915	187	73	27	86	1,216	124	243	109	988	67	178	2,132	99	3,801	11,603
OTHER TORT	9	6	17	20	6	10	10	10	9	653	29	14	10	30	238	19	102	82	592	28	42	674	10	954	3,574
CONTRACT	36	8	94	90	15	47	37	18	37	1,882	83	9	33	81	1,941	82	494	216	8,234	56	131	1,478	51	973	16,126
CONDEMNATION	0	0	0	2	0	2	0	3	0	58	2	0	0	0	41	2	2	3	5	1	0	14	2	47	184
CONTESTED CONFESSED JUDGMENT	0	3	3	1	0	0	1	9	3	4	0	1	0	3	21	7	7	0	4	3	2	4	0	178	254
OTHER LAW	21	30	29	27	0	159	15	0	1	1,272	117	95	7	1	609	11	0	73	4,037	43	3	592	57	81	7,280
APPEALS																									
District Court-on Record	10	0	4	10	1	6	2	2	4	42	17	0	3	6	45	2	25	7	61	3	2	17	1	22	292
District Court-de Novo	1	2	16	1	1	19	6	6	3	151	27	7	1	6	197	6	28	15	232	8	12	40	1	41	827
Administrative Agency	35	46	60	17	13	52	11	32	17	707	166	100	21	88	794	77	131	54	342	29	53	356	46	717	3,964
UNREPORTED LAW	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
DIVORCE/NULLITY	234	165	642	287	189	503	193	175	240	3,245	898	522	160	587	3,899	607	1,065	908	2,805	344	822	4,623	551	3,594	27,258
OTHER DOMESTIC RELATIONS	337	337	395	282	240	624	193	163	57	1,975	315	79	263	475	1,626	416	503	562	179	227	620	4,602	364	934	15,768
ADOPTION/GUARDIANSHIP	21	5	34	31	18	45	9	16	31	259	129	38	26	87	476	110	78	108	580	33	59	299	37	450	2,979
PATERNITY	529	405	620	428	379	631	394	234	270	1,246	479	467	114	641	3,111	136	280	264	763	204	990	5,136	540	4,869	23,130
DOMESTIC VIOLENCE	4	13	1	1	14	6	10	4	5	34	51	5	22	6	43	62	14	3	91	19	56	118	33	91	706
OTHER GENERAL	168	97	226	540	114	248	103	290	179	1,239	437	452	131	375	2,941	638	527	417	3,184	284	356	3,020	187	6,267	22,420
UNREPORTED CATEGORY	2	1	5	3	0	9	0	0	129	11	324	2	4	260	34	6	9	3	1,782	3	1	8	2	303	2,901
TOTAL JUVENILE	**186**	**138**	**235**	**288**	**148**	**604**	**38**	**253**	**208**	**3,305**	**614**	**249**	**156**	**629**	**3,560**	**481**	**842**	**599**	**5,144**	**478**	**545**	**4,855**	**346**	**16,181**	**40,112**
DELINQUENCY	100	93	190	245	108	236	28	222	168	2,727	394	137	64	372	2,717	398	753	471	3,976	299	455	3,734	285	12,124	30,296
ADULT	0	0	0	0	1	0	0	0	0	2	1	0	0	0	0	7	0	0	4	0	3	1	3	1	23
CHILD IN NEED OF SUPERVISION	1	2	2	0	1	3	3	13	0	5	0	29	14	8	7	12	4	18	68	3	2	4	1	218	418
CHILD IN NEED OF ASSISTANCE	85	43	43	41	35	365	7	18	36	569	219	83	78	248	834	60	85	107	1,095	172	85	1,145	57	3,837	9,347
UNREPORTED CATEGORY	0	0	0	2	3	0	0	0	4	2	0	0	0	1	2	4	0	3	1	4	0	1	0	1	28
TOTAL CRIMINAL	**503**	**670**	**1,059**	**1,260**	**173**	**1,018**	**238**	**187**	**364**	**6,575**	**2,197**	**485**	**116**	**1,447**	**6,237**	**2,148**	**2,847**	**1,336**	**4,540**	**983**	**1,140**	**7,688**	**1,003**	**22,233**	**66,427**
INDICTMENT INFORMATION	252	204	445	264	94	309	88	93	234	3,235	795	174	66	543	4,123	408	1,117	449	2,123	545	723	4,658	454	12,925	34,321
APPEALS FROM DISTRICT COURT																									
Motor Vehicle	18	8	11	29	8	30	0	13	12	445	58	13	3	21	219	163	147	77	369	10	23	72	2	240	1,991
Other	17	18	37	28	10	17	6	7	15	463	35	20	4	49	189	33	43	40	300	9	17	154	7	660	2,178
JURY TRIAL PRAYED MOTOR	46	123	162	321	31	364	32	25	34	570	682	79	12	271	551	702	705	422	965	197	111	919	147	657	8,128
JURY TRIAL PRAYED OTHER	169	317	390	617	28	297	112	43	69	1,801	612	178	29	544	1,110	842	824	344	783	220	256	1,839	393	7,538	19,355
NON SUPPORT	0	0	0	0	0	0	0	0	0	51	0	0	0	0	36	0	0	0	0	0	0	0	0	0	87
POST CONVICTION	0	0	14	0	2	1	0	6	0	0	15	0	2	17	3	0	11	0	0	2	10	39	0	72	194
UNREPORTED CATEGORY	1	0	0	1	0	0	0	0	0	10	0	1	0	2	6	0	0	4	0	0	0	7	0	141	173
STATE	**2,121**	**1,938**	**3,530**	**3,333**	**1,329**	**4,076**	**1,274**	**1,440**	**1,580**	**24,573**	**6,072**	**2,578**	**1,094**	**4,808**	**27,030**	**4,934**	**7,197**	**4,759**	**33,563**	**2,813**	**5,012**	**35,686**	**3,330**	**61,736**	**245,806**

NOTE See note on Table CC-8

TABLE CC-10

COURT TRIALS, JURY TRIALS, AND HEARINGS BY COUNTY, CIRCUIT, AND FUNCTIONAL AREA

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
CASES TRIED BY COUNTY & CIRCUIT																									
Civil																									
Court Trials	110	9	82	34	169	369	31	95	56	680	121	16	133	94	351	123	177	62	766	118	482	2,222	26	1,359	7,685
Jury Trials	21	3	14	15	7	22	15	13	9	227	21	22	9	35	105	34	65	22	157	11	30	335	20	310	1,522
Criminal																									
Court Trials	64	47	99	674	13	19	0	10	176	299	30	9	6	16	422	1,408	236	8	61	20	8	17	387	399	4,428
Jury Trials	31	35	64	32	7	28	1	10	33	202	54	34	13	48	197	55	58	23	215	31	66	171	30	357	1,795
COUNTY TOTALS																									
Court Trials	174	56	181	708	182	388	31	105	232	979	151	25	139	110	773	1,531	413	70	827	138	490	2,239	413	1,758	12,113
Jury Trials	52	38	78	47	14	50	16	23	42	429	75	56	22	83	302	89	123	45	372	42	96	506	50	667	3,317
TOTAL	226	94	259	755	196	438	47	128	274	1,408	226	81	161	193	1,075	1,620	536	115	1,199	180	586	2,745	463	2,425	15,430
CIRCUIT TOTALS	**1ST CIRCUIT**				**2ND CIRCUIT**					**3RD CIRCUIT**		**4TH CIRCUIT**			**5TH CIRCUIT**			**6TH CIRCUIT**		**7TH CIRCUIT**				**8TH CIRCUIT**	
Court Trials	1,119				938					1,130		274			2,717			897		3,280				1,758	12,113
Jury Trials	215				145					504		161			514			417		694				667	3,317
TOTAL	**1,334**				**1,083**					**1,634**		**435**			**3,231**			**1,314**		**3,974**				**2,425**	**15,430**
CIVIL, JUVENILE, & CRIMINAL HEARINGS																									
Civil Hearings	624	1,062	722	876	589	670	841	761	710	8,079	741	237	285	1,159	9,089	1,870	2,575	1,124	10,406	536	1,919	23,374	2,110	8,321	78,680
Juvenile Hearings	327	139	429	268	166	1,253	83	392	432	4,769	608	245	193	809	4,777	776	1,472	1,386	8,433	864	1,185	10,672	1,219	50,342	91,269
Criminal Hearings	965	831	1,626	1,126	470	2,451	592	325	465	5,634	4,489	1,096	185	1,879	10,940	1,785	3,064	1,599	17,167	1,819	2,978	14,943	1,346	15,218	92,995
COUNTY TOTALS	1,916	2,032	2,777	2,290	1,225	4,364	1,516	1,478	1,607	18,482	5,838	1,580	663	3,847	24,806	4,431	7,111	4,109	36,006	3,219	6,082	48,989	4,675	73,881	262,944
CIRCUIT TOTALS	**1ST CIRCUIT**				**2ND CIRCUIT**					**3RD CIRCUIT**		**4TH CIRCUIT**			**5TH CIRCUIT**			**6TH CIRCUIT**		**7TH CIRCUIT**				**8TH CIRCUIT**	
	9,015				**10,210**					**24,320**		**6,090**			**36,348**			**40,115**		**62,965**				**73,881**	**262,944**

NOTE: Information on criminal court trials and jury trials in Baltimore City is obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings.

TABLE CC-11

JUDICIAL PROCEEDINGS AND COURTROOM DAYS BY COUNTY

JULY 1, 1992–JUNE 30, 1992
FISCAL 1993

	Hearings	Hearing Days	Court Trials	Court Days	Jury Trials	Jury Days	Total Judicial Proceedings	Total Courtroom Days
FIRST CIRCUIT								
Dorchester	1,916	1,925	174	178	52	61	2,142	2,164
Somerset	2,032	2,039	56	56	38	38	2,126	2,133
Wicomico	2,777	2,777	181	182	78	85	3,036	3,044
Worcester	2,290	2,291	708	710	47	51	3,045	3,052
SECOND CIRCUIT								
Caroline	1,225	1,225	182	184	14	23	1,421	1,432
Cecil	4,384	4,386	388	391	50	74	4,822	4,851
Kent	1,516	1,520	31	34	16	21	1,563	1,575
Queen Anne's	1,478	1,478	105	108	23	24	1,606	1,610
Talbot	1,607	1,608	232	243	42	52	1,881	1,903
THIRD CIRCUIT								
Baltimore County	18,482	19,043	979	1,050	429	803	19,890	20,896
Harford	5,838	5,844	151	222	75	153	6,064	6,219
FOURTH CIRCUIT								
Allegany	1,580	1,581	25	31	56	80	1,661	1,692
Garrett	663	664	139	143	22	22	824	829
Washington	3,847	3,850	110	119	83	112	4,040	4,081
FIFTH CIRCUIT								
Anne Arundel	24,806	24,974	773	789	302	455	25,881	26,218
Carroll	4,431	4,501	1,531	1,600	89	134	6,051	6,235
Howard	7,111	7,174	413	487	123	314	7,647	7,975
SIXTH CIRCUIT								
Frederick	4,109	4,116	70	94	45	72	4,224	4,282
Montgomery	36,006	36,164	827	911	372	567	37,205	37,642
SEVENTH CIRCUIT								
Calvert	3,219	3,219	138	151	42	61	3,399	3,431
Charles	6,082	6,088	490	495	96	129	6,668	6,712
Prince George's	48,989	49,041	2,239	2,402	506	972	51,734	52,415
St. Mary's	4,675	4,679	413	420	50	65	5,138	5,164
EIGHT CIRCUIT								
Baltimore City	73,881	75,982	1,758	1,863	667	874	76,306	78,719
STATE	**262,944**	**266,169**	**12,113**	**12,863**	**3,317**	**5,242**	**278,374**	**284,274**

NOTE: Information on criminal court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office. Also, some differences may exist in the number of court trials for courts of similar size due to the recording of these events under incorrect headings. The number of court and jury days for Baltimore City was extrapolated based on the ratio of court and jury trials to court and jury days in previous years.

TABLE CC-12

APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES AND PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	1ST CIRCUIT				2ND CIRCUIT					3RD CIRCUIT		4TH CIRCUIT			5TH CIRCUIT			6TH CIRCUIT		7TH CIRCUIT				8TH CIRCUIT	TOTAL (STATE)
	Dorchester	Somerset	Wicomico	Worcester	Caroline	Cecil	Kent	Queen Anne's	Talbot	Baltimore	Harford	Allegany	Garrett	Washington	Anne Arundel	Carroll	Howard	Frederick	Montgomery	Calvert	Charles	Prince George's	St. Mary's	Baltimore City	
APPEALS FROM DISTRICT COURT AND ADMINISTRATIVE AGENCIES																									
LAW																									
District Court—De Novo	2	2	9	4	3	8	4	4	3	163	30	10	2	17	59	11	49	26	196	6	16	98	2	58	782
District Court—On Record	5	0	4	9	1	6	1	5	2	56	19	0	6	5	19	9	22	8	56	5	6	18	1	18	281
Administrative Agencies	29	45	81	23	15	65	8	21	20	730	170	84	36	112	436	125	129	86	457	43	67	464	40	680	3,966
Subtotal	36	47	94	36	19	79	13	30	25	949	219	94	44	134	514	145	200	120	709	54	89	580	43	756	5,029
CRIMINAL																									
Motor Vehicle Appeals	18	12	11	19	9	25	2	14	15	426	67	16	4	22	217	165	156	65	369	10	23	75	0	215	1,955
Others	18	15	38	25	15	22	3	8	20	497	40	21	4	51	213	45	49	41	467	11	15	162	8	649	2,437
Subtotal	36	27	49	44	24	47	5	22	35	923	107	37	8	73	430	210	205	106	836	21	38	237	8	864	4,392
TOTAL	**72**	**74**	**143**	**80**	**43**	**126**	**18**	**52**	**60**	**1,872**	**326**	**131**	**52**	**207**	**944**	**355**	**405**	**226**	**1,545**	**75**	**127**	**817**	**51**	**1,620**	**9,421**
PERCENTAGE OF CIRCUIT COURT CASE FILINGS ORIGINATING FROM THE DISTRICT COURT																									
Prayers for Jury Trials and Appeals:																									
County	266	425	682	1,007	90	844	128	99	149	3,551	1,610	318	64	914	1,782	1,967	1,798	1,062	3,181	395	455	3,110	585	8,411	32,893
Circuit		**2,380**				**1,310**				**5,161**			**1,296**			**5,547**		**4,243**			**4,545**			**8,411**	**32,893**
Circuit Court Filings:																									
County	2,068	2,046	3,986	3,196	1,440	4,413	1,171	1,388	1,601	25,455	7,360	2,795	1,099	5,205	26,250	6,236	7,380	5,155	43,409	2,807	5,456	39,748	3,988	67,113	270,765
Circuit		**11,296**				**10,013**				**32,815**			**9,099**			**39,866**		**48,564**			**51,999**			**67,113**	**270,765**
Percentage of Circuit Court Filings that are Jury Trials and Appeals:																									
County	12.9	20.8	17.1	31.5	6.3	19.1	10.9	7.1	9.3	14.0	21.9	11.4	5.8	17.6	6.8	31.5	24.4	20.6	7.3	14.1	8.3	7.8	14.7	12.5	12.1
Circuit		**21.1**				**13.1**				**15.7**			**14.2**			**13.9**		**8.7**			**8.7**			**12.5**	**12.1**

TABLE CC-13

AVERAGE DAYS FROM FILING TO DISPOSITION

	CIVIL			CRIMINAL			JUVENILE		
	1990-91	1991-92	1992-93	1990-91	1991-92	1992-93	1990-91	1991-92	1992-93
FIRST CIRCUIT									
Dorchester	225	186	158	136	129	120	67	53	47
Somerset	165	136	119	114	98	99	18	10	14
Wicomico	211	182	166	90	85	98	40	46	46
Worcester	181	186	205	109	111	125	56	41	42
SECOND CIRCUIT									
Caroline	155	201	161	153	137	138	52	34	25
Cecil	149	162	173	175	166	163	75	66	73
Kent	190	128	202	158	168	159	50	60	53
Queen Anne's	155	197	189	129	123	118	48	52	55
Talbot	169	167	177	129	115	127	52	61	58
THIRD CIRCUIT									
Baltimore	199	195	180	98	83	83	58	56	60
Harford	209	198	179	135	141	143	63	62	63
FOURTH CIRCUIT									
Allegany	255	298	234	143	142	134	62	72	74
Garrett	167	163	157	135	102	112	41	42	45
Washington	149	146	140	164	148	139	58	53	68
FIFTH CIRCUIT									
Anne Arundel	203	194	249	138	138	144	89	83	65
Carroll	187	207	203	124	120	109	51	53	61
Howard	224	268	245	128	127	130	61	67	65
SIXTH CIRCUIT									
Frederick	191	195	241	169	150	157	97	81	84
Montgomery	227	155	112	194	113	122	107	101	113
SEVENTH CIRCUIT									
Calvert	207	219	209	124	131	144	73	65	75
Charles	187	197	187	153	158	179	76	78	74
Prince George's	222	235	220	121	120	126	76	87	82
St. Mary's	169	194	193	128	132	141	72	68	74
EIGHTH CIRCUIT									
Baltimore City	231	235	217	109	95	88	77	108	83
STATE	**211**	**204**	**190**	**120**	**112**	**112**	**76**	**89**	**78**

NOTE: A small number of lengthy cases can increase an average, particularly in a jurisdiction with a small caseload. For that reason, civil cases over 721 days old, criminal cases over 360 days old, and juvenile cases over 271 days old have been excluded in the above calculations. Approximately 90 to 95 percent of the cases are disposed of within those time periods.

TABLE CC-14

POPULATION IN RELATION TO CIRCUIT COURT CASELOAD

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

		POPULATION AND CASELOAD PER CIRCUIT COURT JUDGE						CASES FILED IN THE CIRCUIT COURT PER THOUSAND POPULATION			RATIO OF JURY TRIALS TO POPULATION	
				Cases Filed Per Judge		Cases Terminated Per Judge						
	Population*	No. of Judges	Population per Judge	Civil**	Criminal	Civil**	Criminal	Civil**	Criminal	Total	No. of Jury Trials	Per 1000 Population
FIRST CIRCUIT												
Dorchester***	30,300	1.5	20,200	1,051	331	1,082	335	52	16	68	52	1.72
Somerset	24,800	1.0	24,800	1,456	590	1,297	670	59	24	83	38	1.53
Wicomico***	77,900	2.5	31,160	1,107	491	990	424	36	16	52	78	1.00
Worcester	36,200	2.0	18,100	950	652	1,039	630	52	36	88	47	1.30
SECOND CIRCUIT												
Caroline	28,400	1.0	28,400	1,246	200	1,161	173	44	7	51	14	0.49
Cecil	75,100	2.0	37,550	1,651	568	1,534	509	44	15	59	50	0.67
Kent	18,200	1.0	18,200	981	198	1,041	238	54	11	65	16	0.88
Queen Anne's	36,700	1.0	36,700	1,198	192	1,253	187	33	5	38	23	0.63
Talbot	32,100	1.0	32,100	1,220	385	1,222	364	38	12	50	42	1.31
THIRD CIRCUIT												
Baltimore County	703,000	15.0	46,867	1,251	453	1,203	438	27	10	37	429	0.61
Harford	194,700	4.0	48,675	1,212	632	976	549	25	13	38	75	0.39
FOURTH CIRCUIT												
Allegany	72,800	2.0	36,400	1,160	242	1,057	233	32	7	39	56	0.77
Garrett	28,500	1.0	28,500	983	124	984	116	34	4	38	22	0.77
Washington	124,100	4.0	31,025	942	361	841	362	30	12	42	83	0.67
FIFTH CIRCUIT												
Anne Arundel	445,200	9.0	49,467	2,264	686	2,385	693	46	14	60	302	0.68
Carroll	132,200	3.0	44,067	1,259	827	980	716	29	19	48	89	0.67
Howard	211,000	4.0	52,750	1,163	682	1,088	712	22	13	35	123	0.58
SIXTH CIRCUIT												
Frederick	162,800	3.0	54,267	1,207	523	1,144	445	22	10	32	45	0.28
Montgomery	819,100	15.0	54,607	2,197	414	2,641	303	40	8	48	372	0.45
SEVENTH CIRCUIT												
Calvert	57,100	1.0	57,100	1,860	960	1,844	983	33	17	50	42	0.74
Charles	111,000	3.0	37,000	1,424	405	1,298	380	38	11	49	96	0.86
Prince George's	754,100	19.0	39,689	1,664	444	1,491	405	42	11	53	506	0.67
St. Mary's	81,200	2.0	40,600	1,456	547	1,211	502	36	13	49	50	0.62
EIGHTH CIRCUIT												
Baltimore City****	727,400	25.0	29,096	1,814	874	1,583	889	62	30	92	667	0.92
STATE	**4,983,900**	**123.0**	**40,520**	**1,607**	**568**	**1,557**	**540**	**40**	**14**	**54**	**3,317**	**0.67**

*Population estimate for July 1, 1993, issued by the Maryland Center for Health Statistics

**Juvenile causes in Montgomery County are not included since they are heard at the District Court level. Juvenile causes in all other counties are included in the civil category.

***Dorchester and Wicomico Counties share one judge equally.

****Information on court trials and jury trials in Baltimore City obtained from statistical records maintained by the Criminal Assignment Office.

TABLE CC-15

FIVE-YEAR COMPARATIVE TABLE
APPEALS FROM THE DISTRICT COURT AND ADMINISTRATIVE AGENCIES

FISCAL 1989–FISCAL 1993

	1988-1989		1989-1990		1990-1991		1991-1992		1992-93	
	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies	District Court	Admin. Agencies
FIRST CIRCUIT	**163**	**156**	**165**	**124**	**198**	**141**	**204**	**151**	**191**	**178**
Dorchester	41	22	37	22	40	29	52	40	43	29
Somerset	13	80	9	31	27	28	27	38	29	45
Wicomico	45	29	41	41	45	36	58	57	62	81
Worcester	64	25	78	30	86	48	67	16	57	23
SECOND CIRCUIT	**215**	**82**	**185**	**103**	**212**	**117**	**177**	**105**	**170**	**129**
Caroline	28	7	22	16	21	22	17	9	28	15
Cecil	105	33	95	36	112	48	90	44	61	65
Kent	16	12	17	10	20	13	15	8	10	8
Queen Anne's	28	12	25	16	26	16	14	20	31	21
Talbot	38	18	26	25	33	18	41	24	40	20
THIRD CIRCUIT	**1,283**	**505**	**1,155**	**589**	**1,337**	**633**	**1,259**	**779**	**1,298**	**900**
Baltimore	1,095	395	1,033	483	1,163	486	1,093	590	1,142	730
Harford	188	110	122	106	174	147	166	189	156	170
FOURTH CIRCUIT	**184**	**160**	**177**	**176**	**165**	**159**	**157**	**231**	**158**	**232**
Allegany	55	69	56	102	63	73	59	103	47	84
Garrett	15	13	21	23	17	14	16	27	16	36
Washington	114	78	100	51	85	72	82	101	95	112
FIFTH CIRCUIT	**786**	**394**	**869**	**450**	**953**	**506**	**957**	**638**	**1,014**	**690**
Anne Arundel	292	273	381	272	422	324	476	424	508	436
Carroll	205	44	169	72	193	82	201	89	230	125
Howard	289	77	319	106	338	100	280	125	276	129
SIXTH CIRCUIT	**1,005**	**50**	**1,147**	**239**	**1,196**	**400**	**1,440**	**456**	**1,228**	**543**
Frederick	141	50	126	56	95	52	172	65	140	86
Montgomery	864	0	1,021	183	1,101	348	1,268	391	1,088	457
SEVENTH CIRCUIT	**282**	**307**	**379**	**435**	**407**	**459**	**442**	**588**	**456**	**614**
Calvert	37	28	65	40	52	39	42	36	32	43
Charles	53	48	89	54	74	44	71	59	60	67
Prince George's	178	196	214	306	255	344	308	451	353	464
St. Mary's	14	35	11	35	26	32	21	42	11	40
EIGHTH CIRCUIT	**609**	**893**	**658**	**1,014**	**907**	**1,086**	**867**	**871**	**940**	**680**
Baltimore City	609	893	658	1,014	907	1,086	867	871	940	680
STATE	**4,527**	**2,547**	**4,735**	**3,130**	**5,375**	**3,501**	**5,503**	**3,819**	**5,455**	**3,966**

TABLE CC-16

APPLICATIONS FOR REVIEW OF CRIMINAL SENTENCES

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Filed During Year	Withdrawn by Applicant	TERMINATED, CONSIDERED, AND DISPOSED OF		
			Original Sentence Unchanged	Original Sentence Increased	Original Sentence Decreased
FIRST CIRCUIT					
Dorchester	0	0	0	0	0
Somerset	2	0	1	0	0
Wicomico	0	0	0	0	0
Worcester	0	0	0	0	0
SECOND CIRCUIT					
Caroline	0	0	0	0	0
Cecil	0	0	0	0	0
Kent	2	0	2	0	0
Queen Anne's	0	0	0	0	0
Talbot	0	0	0	0	0
THIRD CIRCUIT					
Baltimore County	24	1	16	0	1
Harford	8	1	22	0	1
FOURTH CIRCUIT					
Allegany	0	0	0	0	0
Garrett	0	0	1	0	0
Washington	25	0	26	0	5
FIFTH CIRCUIT					
Anne Arundel	0	0	0	0	0
Carroll	0	0	0	0	0
Howard	12	1	8	0	0
SIXTH CIRCUIT					
Frederick	7	1	3	0	0
Montgomery	0	0	0	0	0
SEVENTH CIRCUIT					
Calvert	0	0	0	0	0
Charles	12	0	9	0	1
Prince George's	16	6	24	0	0
St. Mary's	0	0	0	0	0
EIGHTH CIRCUIT					
Baltimore City	104	2	103	0	0
STATE	**212**	**12**	**215**	**0**	**8**

TABLE CC-17

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES
FILINGS AND TERMINATIONS

FISCAL 1989–FISCAL 1993

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1988-89		1989-90		1990-91		1991-92		1992-93	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**5,114**	**4,521**	**5,275**	**4,509**	**5,142**	**5,080**	**6,373**	**5,860**	**6,845**	**6,583**
Dorchester	998	711	1,049	881	1,048	1,004	1,360	1,124	1,398	1,432
Somerset	866	802	836	746	898	940	1,061	964	1,299	1,130
Wicomico	2,076	1,883	2 068	1,792	1,851	2,051	2,305	2,396	2,502	2,236
Worcester	1,174	1,125	1,322	1,090	1,345	1,085	1,647	1,376	1,646	1,785
SECOND CIRCUIT	**4,778**	**4,467**	**5,773**	**5,066**	**6,328**	**5,674**	**6,812**	**6,441**	**6,596**	**6,468**
Caroline	864	852	941	882	989	891	1,064	1,060	1,087	1,008
Cecil	2,017	1,882	2,236	1,861	2,394	2,031	2,677	2,373	2,631	2,454
Kent	417	377	603	503	692	623	1,146	1,043	927	998
Queen Anne's	751	689	1,134	1,015	1,169	1,056	901	970	953	1,000
Talbot	729	667	859	805	1,084	1,073	1,024	995	998	1,008
THIRD CIRCUIT	**16,674**	**13,923**	**16,879**	**13,798**	**17,370**	**13,674**	**19,334**	**16,512**	**19,169**	**17,954**
Baltimore	13,111	10,304	13,673	11,260	14,061	11,232	15,088	12,108	15,098	14,693
Harford	3,563	3,619	3,206	2,538	3,309	2,442	4,246	4,404	4,071	3,261
FOURTH CIRCUIT	**4,924**	**4,434**	**5,486**	**4,281**	**5,503**	**5,001**	**6,092**	**5,641**	**5,978**	**5,418**
Allegany	1,527	1,265	1,601	1,156	1,591	1,509	1,805	1,813	2,030	1,864
Garrett	652	605	707	649	810	759	863	852	818	822
Washington	2,745	2,564	3,178	2,476	3,102	2,733	3,424	2,976	3,130	2,732
FIFTH CIRCUIT	**14,040**	**10,049**	**17,443**	**16,402**	**23,258**	**19,639**	**22,111**	**17,904**	**23,401**	**23,046**
Anne Arundel	8,947	5,500	11,731	11,591	17,016	14,713	15,537	11,727	16,358	17,233
Carroll	1,983	1,873	2,332	1,871	2,529	1,931	2,903	2,371	3,206	2,305
Howard	3,110	2,676	3,380	2,940	3,713	2,995	3,671	3,806	3,837	3,508
SIXTH CIRCUIT	**19,188**	**14,469**	**23,251**	**13,481**	**23,634**	**12,969**	**30,548**	**20,677**	**35,055**	**26,703**
Frederick	2,397	1,884	2,756	2,673	3,195	2,196	3,230	2,287	2,944	2,824
Montgomery	16,791	12,585	20,495	10,808	20,439	10,773	27,318	18,390	32,111	23,879
SEVENTH CIRCUIT	**28,314**	**23,734**	**29,546**	**23,954**	**33,086**	**27,056**	**34,226**	**29,868**	**33,660**	**29,773**
Calvert	943	1,013	1,123	951	1,277	1,209	1,411	1,338	1,352	1,352
Charles	2,953	2,536	2,892	2,231	3,200	2,568	3,684	3,364	3,608	3,327
Prince George's	22,324	18,561	23,629	19,173	26,007	21,104	26,457	22,877	26,206	23,113
St. Mary's	2,094	1,624	1,902	1,599	2,602	2,175	2,674	2,289	2,494	1,981
EIGHTH CIRCUIT	**23,067**	**19,391**	**25,240**	**20,702**	**22,756**	**20,026**	**23,733**	**21,926**	**27,481**	**23,322**
Baltimore City	23,067	19,391	25,240	20,702	22,756	20,026	23,733	21,926	27,481	23,322
STATE	**116,099**	**94,988**	**128,893**	**102,193**	**137,077**	**109,119**	**149,229**	**124,829**	**158,185**	**139,267**

NOTE: A civil case is reopened statistically at the time a pleading is filed (i.e. a Motion for Modification of Decree is filed in a divorce case after the final decree has been issued). In a few jurisdictions, a civil case is not reopened statistically until the time a hearing is held on a case with post-judgment activity.

TABLE CC-18

CIVIL CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1992–JUNE 30, 1993 FISCAL 1993

	PENDING			PENDIING
	Beginning of Year	Filed	Terminated	End of Year
FIRST CIRCUIT	**3,329**	**6,845**	**6,583**	**3,591**
Dorchester	772	1,398	1,432	738
Somerset	454	1,299	1,130	623
Wicomico	958	2,502	2,236	1,224
Worcester	1,145	1,646	1,785	1,006
SECOND CIRCUIT	**3,505**	**6,596**	**6,468**	**3,633**
Caroline	460	1,087	1,008	539
Cecil	1,769	2,631	2,454	1,946
Kent	387	927	998	316
Queen Anne's	467	953	1,000	420
Talbot	422	998	1,008	412
THIRD CIRCUIT	**26,586**	**19,169**	**17,954**	**27,801**
Baltimore County	22,304	15,098	14,693	22,709
Harford	4,282	4,071	3,261	5,092
FOURTH CIRCUIT	**4,964**	**5,978**	**5,418**	**5,524**
Allegany	1,793	2,030	1,864	1,959
Garrett	386	818	822	382
Washington	2,785	3,130	2,732	3,183
FIFTH CIRCUIT	**26,597**	**23,401**	**23,046**	**26,952**
Anne Arundel	20,125	16,358	17,233	19,250
Carroll	2,388	3,206	2,305	3,289
Howard	4,084	3,837	3,508	4,413
SIXTH CIRCUIT	**28,504**	**35,055**	**26,703**	**36,856**
Frederick	3,059	2,944	2,824	3,179
Montgomery	25,445	32,111	23,879	33,677
SEVENTH CIRCUIT	**30,580**	**33,660**	**29,773**	**34,467**
Calvert	973	1,352	1,352	973
Charles	2,752	3,608	3,327	3,033
Prince George's	24,986	26,206	23,113	28,079
St. Mary's	1,869	2,494	1,981	2,382
EIGHTH CIRCUIT	**43,872**	**27,481**	**23,322**	**48,031**
Baltimore City	43,872	27,481	23,322	48,031
STATE	**167,937**	**158,185**	**139,267**	**186,855**

NOTE: See note on Table CC-6

TABLE CC-19

CIVIL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	**6,583**	**288**	**4.4**	**235**	**3.6**	**53**	**0.8**
Dorchester	1,432	131	9.1	110	7.7	21	1.5
Somerset	1,130	12	1.1	9	0.8	3	0.3
Wicomico	2,236	96	4.3	82	3.7	14	0.6
Worcester	1,785	49	2.7	34	1.9	15	0.8
SECOND CIRCUIT	**6,468**	**786**	**12.2**	**720**	**11.1**	**66**	**1.0**
Caroline	1,008	176	17.5	169	16.8	7	0.7
Cecil	2,454	391	15.9	369	15.0	22	0.9
Kent	998	46	4.6	31	3.1	15	1.5
Queen Anne's	1,000	108	10.8	95	9.5	13	1.3
Talbot	1,008	65	6.4	56	5.6	9	0.9
THIRD CIRCUIT	**17,954**	**1,049**	**5.8**	**801**	**4.5**	**248**	**1.4**
Baltimore County	14,693	907	6.2	680	4.6	227	1.5
Harford	3,261	142	4.4	121	3.7	21	0.6
FOURTH CIRCUIT	**5,418**	**309**	**5.7**	**243**	**4.5**	**66**	**1.2**
Allegany	1,864	38	2.0	16	0.9	22	1.2
Garrett	822	142	17.3	133	16.2	9	1.1
Washington	2,732	129	4.7	94	3.4	35	1.3
FIFTH CIRCUIT	**23,046**	**855**	**3.7**	**651**	**2.8**	**204**	**0.9**
Anne Arundel	17,233	456	2.6	351	2.0	105	0.6
Carroll	2,305	157	6.8	123	5.3	34	1.5
Howard	3,508	242	6.9	177	5.0	65	1.9
SIXTH CIRCUIT	**26,703**	**1,007**	**3.8**	**828**	**3.1**	**179**	**0.7**
Frederick	2,824	84	3.0	62	2.2	22	0.8
Montgomery	23,879	923	3.9	766	3.2	157	0.7
SEVENTH CIRCUIT	**29,773**	**3,244**	**10.9**	**2,848**	**9.6**	**396**	**1.3**
Calvert	1,352	129	9.5	118	8.7	11	0.8
Charles	3,327	512	15.4	482	14.5	30	0.9
Prince George's	23,113	2,557	11.1	2,222	9.6	335	1.4
St. Mary's	1,981	46	2.3	26	1.3	20	1.0
EIGHTH CIRCUIT	**23,322**	**1,669**	**7.2**	**1,359**	**5.8**	**310**	**1.3**
Baltimore City	23,322	1,669	7.2	1,359	5.8	310	1.3
STATE	**139,267**	**9,207**	**6.6**	**7,685**	**5.5**	**1,522**	**1.1**

TABLE CC-20

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES TRIED

FISCAL 1989–FISCAL 1993

	1988-89	1989-90	1990-91	1991-92	1992-93
FIRST CIRCUIT	**186**	**174**	**242**	**335**	**288**
Dorchester	53	45	37	59	131
Somerset	1	15	7	10	12
Wicomico	97	77	128	177	96
Worcester	35	37	70	89	49
SECOND CIRCUIT	**775**	**837**	**817**	**757**	**786**
Caroline	191	201	177	167	176
Cecil	499	515	491	393	391
Kent	13	20	30	21	46
Queen Anne's	49	64	70	116	108
Talbot	23	37	49	60	65
THIRD CIRCUIT	**734**	**952**	**1,036**	**883**	**1,049**
Baltimore	555	702	805	744	907
Harford	179	250	231	139	142
FOURTH CIRCUIT	**274**	**415**	**310**	**301**	**309**
Allegany	96	206	105	87	38
Garrett	94	105	114	111	142
Washington	84	104	91	103	129
FIFTH CIRCUIT	**624**	**765**	**621**	**749**	**855**
Anne Arundel	399	431	418	397	456
Carroll	37	57	21	71	157
Howard	188	277	182	281	242
SIXTH CIRCUIT	**854**	**821**	**705**	**633**	**1,007**
Frederick	125	132	101	104	84
Montgomery	729	689	604	529	923
SEVENTH CIRCUIT	**1,528**	**1,817**	**1,708**	**2,878**	**3,244**
Calvert	115	140	136	158	129
Charles	378	346	361	381	512
Prince George's	966	1,312	1,177	2,292	2,557
St. Mary's	69	19	34	47	46
EIGHTH CIRCUIT	**1,021**	**1,110**	**1,680**	**1,743**	**1,669**
Baltimore City	1,021	1,110	1,680	1,743	1,669
STATE	**5,996**	**6,891**	**7,119**	**8,279**	**9,207**

NOTE: See note on Table CC-10.

TABLE CC-21

CIVIL–AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGES OF TOTAL CASES DISPOSED OF LESS THAN:				
	Number of Cases	Cases	Excluding Cases Over 721 Days	61 Days	181 Days	361 Days	721 Days	1081 Days
FIRST CIRCUIT								
Dorchester	949	294	158	35.3	58.8	74.1	87.4	94.3
Somerset	668	129	119	48.7	76.9	90.9	98.7	100.0
Wicomico	1,543	223	166	34.5	63.1	79.8	95.6	98.6
Worcester	1,312	345	205	22.2	49.5	66.9	85.1	92.6
SECOND CIRCUIT								
Caroline	462	291	161	27.5	65.3	81.6	92.9	98.7
Cecil	1,359	264	173	28.8	59.2	76.9	92.0	97.2
Kent	386	276	202	28.0	56.2	69.7	90.7	98.4
Queen Anne's	681	227	189	28.2	56.7	76.2	94.6	99.4
Talbot	588	213	177	34.9	59.0	76.4	95.1	99.3
THIRD CIRCUIT								
Baltimore County	13,085	415	180	26.0	52.3	67.9	82.8	88.1
Harford	2,840	290	179	26.6	58.8	73.8	89.2	95.5
FOURTH CIRCUIT								
Allegany	1,265	298	234	18.5	48.4	66.2	91.5	98.3
Garrett	580	173	157	38.6	67.4	81.7	97.6	100.0
Washington	1,743	225	140	41.3	64.7	79.3	90.5	97.7
FIFTH CIRCUIT								
Anne Arundel	10,593	502	249	16.0	38.5	55.9	81.0	86.8
Carroll	1,974	243	203	24.3	54.5	74.7	95.0	98.6
Howard	2,869	356	245	13.1	41.0	62.2	86.3	96.2
SIXTH CIRCUIT								
Frederick	2,417	349	241	17.3	43.1	61.2	85.5	97.1
Montgomery	19,151	187	112	57.8	70.8	80.1	92.8	97.0
SEVENTH CIRCUIT								
Calvert	1,166	284	209	21.9	53.9	70.9	91.1	97.3
Charles	1,884	331	187	21.0	52.2	69.9	84.8	93.9
Prince George's	14,829	346	220	20.1	47.8	67.4	86.8	96.4
St. Mary's	1,201	260	193	22.5	56.0	75.9	92.2	96.8
EIGHTH CIRCUIT								
Baltimore City	19,586	314	217	27.6	49.1	63.9	90.4	96.7
STATE	103,131	320	190	30.3	53.6	69.2	88.3	94.6

NOTE: This table does not include reopened cases. In some counties, the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-22

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES
FILINGS AND TERMINATIONS

FISCAL 1989–FISCAL 1993

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1988-89		1989-90		1990-91		1991-92		1992-93	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**2,965**	**2,729**	**2,880**	**2,815**	**3,285**	**2,997**	**3,603**	**3,379**	**3,617**	**3,492**
Dorchester	651	445	553	613	495	469	659	598	496	503
Somerset	390	360	391	386	597	491	588	593	590	670
Wicomico	1,243	1,193	1,319	1,266	1,382	1,302	1,255	1,233	1,227	1,059
Worcester	681	731	617	550	811	735	1,101	955	1,304	1,260
SECOND CIRCUIT	**2,138**	**1,965**	**2,200**	**1,929**	**2,337**	**1,925**	**2,335**	**2,145**	**2,111**	**1,980**
Caroline	272	272	246	224	298	244	187	207	200	173
Cecil	811	718	953	629	1,133	871	1,271	1,118	1,136	1,018
Kent	202	159	215	192	219	144	225	215	198	238
Queen Anne's	352	338	307	340	246	243	205	213	192	187
Talbot	501	478	479	544	441	423	447	392	385	364
THIRD CIRCUIT	**12,330**	**11,302**	**12,192**	**11,609**	**10,465**	**10,609**	**9,801**	**9,503**	**9,327**	**8,772**
Baltimore	9,782	9,049	9,739	9,534	7,955	8,501	7,200	7,212	6,801	6,575
Harford	2,548	2,253	2,453	2,075	2,510	2,108	2,601	2,291	2,526	2,197
FOURTH CIRCUIT	1,887	**1,599**	**2,195**	**1,907**	**1,953**	**1,884**	**2,124**	**1,969**	**2,052**	**2,028**
Allegany	386	322	420	435	494	398	442	433	483	465
Garrett	146	121	199	162	137	174	153	142	124	116
Washington	1,355	1,156	1,576	1,310	1,322	1,312	1,529	1,394	1,445	1,447
FIFTH CIRCUIT	**8,489**	**7,000**	**9,603**	**8,729**	**11,194**	**9,528**	**12,995**	**11,791**	**11,385**	**11,232**
Anne Arundel	4,427	3,280	4,889	4,310	6,308	5,122	7,626	6,538	6,174	6,237
Carroll	1,583	1,495	1,665	1,510	1,900	1,643	2,059	1,802	2,482	2,148
Howard	2,479	2,225	3,049	2,909	2,986	2,763	3,310	3,451	2,729	2,847
SIXTH CIRCUIT	**8,576**	**8,391**	**7,075**	**5,494**	**6,336**	**5,053**	**7,717**	**5,401**	**7,784**	**5,876**
Frederick	1,373	1,064	1,508	1,287	1,479	1,329	1,365	1,232	1,570	1,336
Montgomery	7,203	7,327	5,567	4,207	4,857	3,724	6,352	4,169	6,214	4,540
SEVENTH CIRCUIT	**10,593**	**9,385**	**11,584**	**10,998**	**10,881**	**10,550**	**12,467**	**10,823**	**11,709**	**10,814**
Calvert	577	481	1,494	986	1,186	1,491	1,034	971	960	983
Charles	1,187	962	1,256	1,055	1,118	1,107	1,310	1,104	1,214	1,140
Prince George's	7,574	6,780	7,887	7,912	7,640	7,068	9,005	7,864	8,442	7,688
St. Mary's	1,255	1,162	947	1,045	937	884	1,118	884	1,093	1,003
EIGHTH CIRCUIT	**14,352**	**10,583**	**12,699**	**12,757**	**23,000**	**21,637**	**23,020**	**23,447**	**21,851**	**22,233**
Baltimore City	14,352	10,583	12,699	12,757	23,000	21,637	23,020	23,447	21,851	22,233
STATE	**61,330**	**52,954**	**60,428**	**56,238**	**69,451**	**64,183**	**74,062**	**68,458**	**69,836**	**66,427**

TABLE CC-23

CRIMINAL CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1992–JUNE 30, 1993 FISCAL 1993

	PENDING			PENDING
	Beginning of Year	Filed	Terminated	End of Year
FIRST CIRCUIT	**1,394**	**3,617**	**3,492**	**1,519**
Dorchester	264	496	503	257
Somerset	226	590	670	146
Wicomico	355	1,227	1,059	523
Worcester	549	1,304	1,260	593
SECOND CIRCUIT	**1,615**	**2,111**	**1,980**	**1,746**
Caroline	98	200	173	125
Cecil	1,105	1,136	1,018	1,223
Kent	152	198	238	112
Queen Anne's	88	192	187	93
Talbot	172	385	364	193
THIRD CIRCUIT	**7,213**	**9,327**	**8,772**	**7,768**
Baltimore County	5,313	6,801	6,575	5,539
Harford	1,900	2,526	2,197	2,229
FOURTH CIRCUIT	**1,365**	**2,052**	**2,028**	**1,389**
Allegany	227	483	465	245
Garrett	43	124	116	51
Washington	1,095	1,445	1,447	1,093
FIFTH CIRCUIT	**7,770**	**11,385**	**11,232**	**7,923**
Anne Arundel	5,114	6,174	6,237	5,051
Carroll	1,285	2,482	2,148	1,619
Howard	1,371	2,729	2,847	1,253
SIXTH CIRCUIT	**9,577**	**7,784**	**5,876**	**11,485**
Frederick	902	1,570	1,336	1,136
Montgomery	8,675	6,214	4,540	10,349
SEVENTH CIRCUIT	**8,184**	**11,709**	**10,814**	**9,079**
Calvert	334	960	983	311
Charles	1,236	1,214	1,140	1,310
Prince George's	5,963	8,442	7,688	6,717
St. Mary's	651	1,093	1,003	741
EIGHTH CIRCUIT	**26,784**	**21,851**	**22,233**	**26,402**
Baltimore City	26,784	21,851	22,233	26,402
STATE	**63,902**	**69,836**	**66,427**	**67,311**

NOTE: See note on Table CC-6.

TABLE CC-24

CRIMINAL CASES
RATIO OF TRIALS TO DISPOSITIONS

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Dispositions	Trials	Percentages	Court Trials	Percentages	Jury Trials	Percentages
FIRST CIRCUIT	**3,492**	**1,046**	**30.0**	**884**	**25.3**	**162**	**4.6**
Dorchester	503	95	18.9	64	12.7	31	6.2
Somerset	670	82	12.2	47	7.0	35	5.2
Wicomico	1,059	163	15.4	99	9.3	64	6.0
Worcester	1,260	706	56.0	674	53.5	32	2.5
SECOND CIRCUIT	**1,980**	**297**	**15.0**	**218**	**11.0**	**79**	**4.0**
Caroline	173	20	11.6	13	7.5	7	4.0
Cecil	1,018	47	4.6	19	1.9	28	2.8
Kent	238	1	0.4	0	-	1	0.4
Queen Anne's	187	20	10.7	10	5.3	10	5.3
Talbot	364	209	57.4	176	48.4	33	9.1
THIRD CIRCUIT	**8,772**	**585**	**6.7**	**329**	**3.8**	**256**	**2.9**
Baltimore County	6,575	501	7.6	299	4.5	202	3.1
Harford	2,197	84	3.8	30	1.4	54	2.5
FOURTH CIRCUIT	**2,028**	**126**	**6.2**	**31**	**1.5**	**95**	**4.7**
Allegany	465	43	9.2	9	1.9	34	7.3
Garrett	116	19	16.4	6	5.2	13	11.2
Washington	1,447	64	4.4	16	1.1	48	3.3
FIFTH CIRCUIT	**11,232**	**2,376**	**21.2**	**2,066**	**18.4**	**310**	**2.8**
Anne Arundel	6,237	619	9.9	422	6.8	197	3.2
Carroll	2,148	1,463	68.1	1,408	65.5	55	2.6
Howard	2,847	294	10.3	236	8.3	58	2.0
SIXTH CIRCUIT	**5,876**	**307**	**5.2**	**69**	**1.2**	**238**	**4.1**
Frederick	1,336	31	2.3	8	0.6	23	1.7
Montgomery	4,540	276	6.1	61	1.3	215	4.7
SEVENTH CIRCUIT	**10,814**	**730**	**6.8**	**432**	**4.0**	**298**	**2.8**
Calvert	983	51	5.2	20	2.0	31	3.2
Charles	1,140	74	6.5	8	0.7	66	5.8
Prince George's	7,688	188	2.4	17	0.2	171	2.2
St. Mary's	1,003	417	41.6	387	38.6	30	3.0
EIGHTH CIRCUIT	**22,233**	**756**	**3.4**	**399**	**1.8**	**357**	**1.6**
Baltimore City	22,233	756	3.4	399	1.8	357	1.6
STATE	**66,427**	**6,223**	**9.4**	**4,428**	**6.7**	**1,795**	**2.7**

NOTE: See note on Table CC-10.

TABLE CC-25

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES TRIED

FISCAL 1989–FISCAL 1993

	1988-89	1989-90	1990-91	1991-92	1992-93
FIRST CIRCUIT	**885**	**729**	**800**	**1,041**	**1,046**
Dorchester	195	140	126	175	95
Somerset	137	90	84	103	82
Wicomico	166	203	176	223	163
Worcester	387	296	414	540	706
SECOND CIRCUIT	**524**	**502**	**419**	**298**	**297**
Caroline	35	17	46	26	20
Cecil	107	142	100	63	47
Kent	8	3	0	0	1
Queen Anne's	25	24	33	22	20
Talbot	349	316	240	187	209
THIRD CIRCUIT	**353**	**801**	**1,089**	**529**	**585**
Baltimore	260	735	1,015	444	501
Harford	93	66	74	85	84
FOURTH CIRCUIT	**166**	**164**	**129**	**147**	**126**
Allegany	43	45	24	33	43
Garrett	17	24	12	29	19
Washington	106	95	93	85	64
FIFTH CIRCUIT	**1,515**	**2,313**	**1,577**	**1,934**	**2,376**
Anne Arundel	855	1,457	899	1,481	619
Carroll	125	107	66	107	1,463
Howard	535	749	612	346	294
SIXTH CIRCUIT	**510**	**383**	**323**	**344**	**307**
Frederick	55	41	41	47	31
Montgomery	455	342	282	297	276
SEVENTH CIRCUIT	**458**	**989**	**853**	**779**	**730**
Calvert	30	32	55	47	51
Charles	63	66	69	75	74
Prince George's	358	352	313	279	188
St. Mary's	7	539	416	378	417
EIGHTH CIRCUIT	**942**	**1,743**	**688**	**1,052**	**756**
Baltimore City	942	1,743	688	1,052	756
STATE	**5,353**	**7,624**	**5,878**	**6,124**	**6,223**

NOTE: See note on Table CC-10.

TABLE CC-26

CRIMINAL–AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1992–JULY 30, 1993
FISCAL 1993

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGE OF TOTAL CASES DISPOSED OF LESS THAN:				
	Number of Cases	All Cases	Excluding Cases Over 360 Days	61 Days	91 Days	121 Days	181 Days	361 Days
FIRST CIRCUIT								
Dorchester	335	158	120	14.0	37.3	57.6	77.3	92.5
Somerset	637	118	99	21.8	45.5	68.0	91.8	97.0
Wicomico	803	102	98	19.6	50.6	72.1	92.8	99.3
Worcester	1,168	132	125	6.7	22.9	55.3	86.2	98.4
SECOND CIRCUIT								
Caroline	124	155	138	10.5	23.4	39.5	68.5	96.0
Cecil	831	178	163	5.2	8.2	19.4	63.2	95.8
Kent	179	244	159	6.1	11.2	22.9	62.0	91.1
Queen Anne's	118	124	118	18.6	36.4	53.4	83.9	98.3
Talbot	221	133	127	14.5	33.0	51.6	78.7	98.2
THIRD CIRCUIT								
Baltimore County	4,338	105	83	38.1	59.3	75.4	88.8	97.9
Harford	1,472	210	143	19.0	29.9	41.2	56.6	85.1
FOURTH CIRCUIT								
Allegany	378	156	134	21.4	34.4	48.7	66.4	94.2
Garrett	95	127	112	11.6	34.7	67.4	82.1	95.8
Washington	1,133	177	139	8.6	18.9	36.6	73.0	89.8
FIFTH CIRCUIT								
Anne Arundel	2,978	171	144	13.5	24.6	36.9	65.8	94.4
Carroll	1,469	117	109	10.1	49.3	68.4	87.7	98.3
Howard	1,932	175	130	10.9	36.0	49.3	74.1	93.3
SIXTH CIRCUIT								
Frederick	1,290	237	157	4.1	12.2	31.4	62.2	91.8
Montgomery	2,686	206	122	27.9	38.0	47.4	64.6	89.2
SEVENTH CIRCUIT								
Calvert	621	268	144	9.8	24.8	42.0	68.0	95.2
Charles	945	200	179	4.7	9.1	18.8	50.7	93.9
Prince George's	5,676	162	126	17.4	35.4	51.1	69.7	91.1
St. Mary's	901	169	141	10.5	22.0	40.6	70.5	92.9
EIGHTH CIRCUIT								
Baltimore City	15,167	124	88	43.9	54.2	67.0	81.0	95.4
STATE	**45,497**	**150**	**112**	**26.5**	**41.1**	**55.9**	**75.7**	**94.2**

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-27

FIVE-YEAR COMPARATIVE TABLE
JUVENILE CASES
FILINGS AND TERMINATIONS

FISCAL 1989–FISCAL 1993

	COMBINED ORIGINAL AND REOPENED CASES FILED AND TERMINATED									
	1988-89		1989-90		1990-91		1991-92		1992-93	
	F	T	F	T	F	T	F	T	F	T
FIRST CIRCUIT	**757**	**708**	**792**	**719**	**763**	**727**	**906**	**920**	**834**	**847**
Dorchester	151	122	190	189	131	113	199	194	174	186
Somerset	58	48	107	84	84	78	135	139	157	138
Wicomico	302	303	276	256	344	327	294	333	257	235
Worcester	246	235	219	190	204	209	278	254	246	288
SECOND CIRCUIT	**924**	**901**	**1,265**	**1,174**	**1,056**	**1,029**	**1,295**	**1,280**	**1,306**	**1,251**
Caroline	102	98	96	80	114	123	74	77	153	148
Cecil	366	379	628	541	474	457	685	664	646	604
Kent	42	39	65	51	55	65	66	61	46	38
Queen Anne's	203	183	213	230	233	215	236	235	243	253
Talbot	211	202	263	272	180	169	234	243	218	208
THIRD CIRCUIT	**4,330**	**4,170**	**4,642**	**4,232**	**4,160**	**4,003**	**4,357**	**3,972**	**4,319**	**3,919**
Baltimore	3,478	3,341	3,862	3,524	3,368	3,261	3,448	3,045	3,556	3,305
Harford	852	829	780	708	792	742	909	927	763	614
FOURTH CIRCUIT	**1,286**	**1,192**	**1,151**	**1,057**	**1,189**	**1,112**	**1,134**	**1,149**	**1,069**	**1,034**
Allegany	313	270	275	271	281	241	329	335	282	249
Garrett	151	156	157	135	143	149	115	117	157	156
Washington	822	766	719	651	765	722	690	697	630	629
FIFTH CIRCUIT	**4,279**	**4,024**	**4,629**	**4,168**	**4,543**	**4,332**	**4,968**	**4,534**	**5,080**	**4,883**
Anne Arundel	3,191	2,881	3,340	3,055	3,309	3,302	3,635	3,482	3,718	3,560
Carroll	681	591	566	574	549	464	619	480	548	481
Howard	407	552	723	539	685	566	714	572	814	842
SIXTH CIRCUIT	**3,096**	**2,507**	**3,590**	**3,582**	**4,581**	**4,666**	**5,706**	**5,582**	**5,725**	**5,743**
Frederick	389	324	523	477	607	570	694	676	641	599
Montgomery*	2,707	2,183	3,067	3,105	3,974	4,096	5,012	4,906	5,084	5,144
SEVENTH CIRCUIT	**8,025**	**7,902**	**8,677**	**8,782**	**6,761**	**5,550**	**6,084**	**5,225**	**6,630**	**6,254**
Calvert	273	285	296	269	405	376	459	495	495	478
Charles	685	639	593	598	616	600	545	580	634	545
Prince George's	6,635	6,587	7,415	7,633	5,390	4,270	4,620	3,836	5,100	4,885
St. Mary's	432	391	373	282	350	304	460	314	401	346
EIGHTH CIRCUIT	**13,639**	**12,828**	**14,919**	**12,356**	**13,637**	**11,200**	**13,922**	**12,289**	**17,781**	**16,181**
Baltimore City	13,639	12,828	14,919	12,356	13,637	11,200	13,922	12,289	17,781	16,181
STATE	**36,336**	**34,232**	**39,665**	**36,070**	**36,690**	**32,619**	**38,372**	**34,951**	**42,744**	**40,112**

*Includes juvenile cases processed at the District Court level.

TABLE CC-28

JUVENILE CASES FILED, TERMINATED, AND PENDING IN THE CIRCUIT COURTS

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	PENDING			PENDING
	Beginning of Year	Filed	Terminated	End of Year
FIRST CIRCUIT	**144**	**834**	**847**	**131**
Dorchester	42	174	186	30
Somerset	1	157	138	20
Wicomico	33	257	235	55
Worcester	68	246	288	26
SECOND CIRCUIT	**258**	**1,306**	**1,251**	**313**
Caroline	17	153	148	22
Cecil	178	646	604	220
Kent	6	46	38	14
Queen Anne's	21	243	253	11
Talbot	36	218	208	46
THIRD CIRCUIT	**1,634**	**4,319**	**3,919**	**2,034**
Baltimore County	1,508	3,556	3,305	1,759
Harford	126	763	614	275
FOURTH CIRCUIT	**176**	**1,069**	**1,034**	**211**
Allegany	23	282	249	56
Garrett	22	157	156	23
Washington	131	630	629	132
FIFTH CIRCUIT	**1,375**	**5,080**	**4,883**	**1,572**
Anne Arundel	628	3,718	3,560	786
Carroll	391	548	481	458
Howard	356	814	842	328
SIXTH CIRCUIT	**2,122**	**5,725**	**5,743**	**2,104**
Frederick	133	641	599	175
Montgomery	1,989	5,084	5,144	1,929
SEVENTH CIRCUIT	**3,628**	**6,630**	**6,254**	**4,004**
Calvert	91	495	478	108
Charles	96	634	545	185
Prince George's	3,042	5,100	4,885	3,257
St. Mary's	399	401	346	454
EIGHTH CIRCUIT	**10,764**	**17,781**	**16,181**	**12,364**
Baltimore City	10,764	17,781	16,181	12,364
STATE	**20,101**	**42,744**	**40,112**	**22,733**

NOTE: See note on Table CC-6.

TABLE CC-29

JUVENILE–AVERAGE DAYS FROM FILING TO DISPOSITION BY AGE OF CASES AND CUMULATIVE PERCENTAGES OF DISPOSITIONS WITHIN SPECIFIC TIME PERIODS

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

		AVERAGE IN DAYS FILING TO DISPOSITION		CUMULATIVE PERCENTAGES OF TOTAL CASES DISPOSED OF LESS THAN:					
	Number of Cases	All Cases	Excluding Cases Over 271 Days	31 Days	61 Days	121 Days	181 Days	271 Days	361 Days
FIRST CIRCUIT									
Dorchester	145	47	47	30.3	73.1	99.3	100.0	100.0	100.0
Somerset	64	14	14	98.4	98.4	100.0	100.0	100.0	100.0
Wicomico	185	48	46	40.5	78.4	94.6	97.3	99.5	99.5
Worcester	206	44	42	32.0	88.8	94.7	97.1	99.5	99.5
SECOND CIRCUIT									
Caroline	46	25	25	63.0	97.7	100.0	100.0	100.0	100.0
Cecil	319	96	73	18.2	42.9	81.8	88.7	94.0	94.7
Kent	21	53	53	28.6	66.7	100.0	100.0	100.0	100.0
Queen Anne's	85	55	55	17.6	65.9	92.9	100.0	100.0	100.0
Talbot	105	74	58	24.8	67.6	88.6	93.3	95.2	96.2
THIRD CIRCUIT									
Baltimore County	2,719	99	60	23.6	54.4	89.5	94.4	97.4	98.1
Harford	376	67	63	18.9	46.0	91.0	97.9	98.9	99.2
FOURTH CIRCUIT									
Allegany	241	84	74	17.4	50.2	80.9	90.5	97.5	98.3
Garrett	94	52	45	47.9	73.4	94.7	95.7	97.9	97.9
Washington	274	104	68	23.0	50.4	83.2	92.7	95.6	96.4
FIFTH CIRCUIT									
Anne Arundel	1,247	70	65	19.7	54.1	88.8	95.5	98.2	99.4
Carroll	340	126	61	16.8	65.3	85.0	88.5	94.4	95.3
Howard	663	105	65	13.4	43.7	88.2	91.6	93.5	94.7
SIXTH CIRCUIT									
Frederick	457	98	84	18.2	38.5	73.1	87.7	95.4	97.4
Montgomery	2,081	135	113	9.9	18.9	52.2	78.3	92.1	96.7
SEVENTH CIRCUIT									
Calvert	302	101	75	12.9	46.7	78.8	87.1	92.7	94.7
Charles	326	81	74	6.4	34.4	93.3	98.5	98.8	99.4
Prince George's	2,198	141	82	13.9	34.3	72.2	80.5	86.9	90.2
St. Mary's	291	149	74	11.3	37.5	78.7	83.5	88.0	89.3
EIGHTH CIRCUIT									
Baltimore City	13,970	111	83	16.5	44.0	73.1	81.8	92.1	95.4
STATE	**26,755**	**108**	**78**	**17.3**	**44.2**	**76.0**	**85.1**	**93.1**	**95.7**

NOTE: This table does not include reopened cases. In some counties the number of terminated cases may differ slightly and will be lower than figures appearing on other tables in this report. Also see note on Table CC-13.

TABLE CC-30

DELINQUENCY TERMINATIONS BY TYPE OF DISPOSITION

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Jurisdiction Waived	Dismissed	Stet	Probation	Social Services	Juvenile Services	Hospital Facility	Institutional	Transferred In	Transferred Out	Continued	Other	TOTAL
FIRST CIRCUIT													
Dorchester	35	22	0	26	0	10	0	0	0	3	0	4	100
Somerset	14	5	0	13	9	24	0	0	0	1	18	9	93
Wicomico	29	30	0	60	6	32	0	6	2	0	0	25	190
Worcester	27	46	0	80	3	57	0	0	4	0	8	20	245
SECOND CIRCUIT													
Caroline	3	11	1	20	1	11	0	0	0	0	55	6	108
Cecil	17	73	3	84	7	20	0	27	0	2	0	3	236
Kent	2	6	0	10	0	6	0	0	2	0	0	2	28
Queen Anne's	1	27	0	38	0	23	0	0	3	2	0	128	222
Talbot	2	37	0	72	5	4	0	0	0	3	0	45	168
THIRD CIRCUIT													
Baltimore County	119	336	776	869	16	186	2	60	42	31	18	272	2,727
Harford	11	65	2	158	33	18	2	18	8	6	9	64	394
FOURTH CIRCUIT													
Allegany	0	22	10	79	0	19	0	0	0	2	0	5	137
Garrett	1	4	0	30	8	14	1	3	0	0	0	3	64
Washington	19	36	1	131	17	61	4	17	5	2	2	77	372
FIFTH CIRCUIT													
Anne Arundel	20	291	74	1,058	40	106	13	82	39	51	256	687	2,717
Carroll	11	25	27	175	5	15	0	25	0	5	1	109	398
Howard	40	172	250	195	6	29	6	3	6	1	0	45	753
SIXTH CIRCUIT													
Frederick	9	121	0	131	12	32	0	0	1	8	0	157	471
Montgomery*	79	723	167	822	187	448	13	242	4	38	3	1,250	3,976
SEVENTH CIRCUIT													
Calvert	0	49	50	118	2	26	1	0	1	4	0	48	299
Charles	6	84	16	202	2	43	3	30	5	0	0	64	455
Prince George's	54	1,268	576	617	11	114	2	179	0	12	73	828	3,734
St. Mary's	0	37	106	72	2	9	0	2	3	3	0	51	285
EIGHTH CIRCUIT													
Baltimore City	320	7,980	0	2,220	2	0	0	0	404	97	0	1,602	12,625
STATE	**819**	**11,470**	**2,059**	**7,280**	**374**	**1,307**	**47**	**694**	**529**	**271**	**443**	**5,504**	**30,797**

*Juvenile cases for Montgomery County are handled by the District Court.

The District Court

The District Court

Introduction

The District Court of Maryland was created as a result of the ratification in 1970 of a constitutional amendment proposed by the legislature in 1969. Operation of the District Court began on July 5, 1971. It replaced a miscellaneous system of trial magistrates, people's, and municipal courts with a fully State-funded court of record vested with Statewide jurisdiction.

District Court judges are appointed by the Governor and confirmed by the Senate. They are not required to stand for election. The first Chief Judge was designated by the Governor, but all subsequent chief judges are subject to appointment by the Chief Judge of the Court of Appeals. The District Court is divided into twelve geographical districts, each containing one or more political subdivisions, with at least one judge in each subdivision.

There were 97 District Court judgeships, including the Chief Judge, as of July 1, 1992. The Chief Judge is the administrative head of the Court and appoints administrative judges for each of the twelve districts, subject to the approval of the Chief Judge of the Court of Appeals. The Chief Judge of the District Court also appoints a Chief Clerk of the Court. Additionally, administrative clerks for each district, as well as commissioners who perform such duties as issuing arrest warrants and setting bail or collateral, are appointed as well.

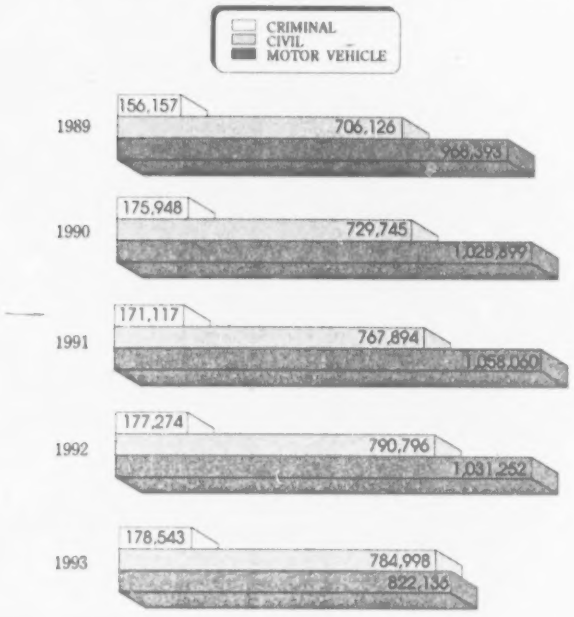
The District Court has jurisdiction over both criminal (including motor vehicle), and civil matters. In Montgomery County, it also has jurisdiction over juvenile causes. The exclusive jurisdiction of the District Court generally includes all landlord and tenant cases; replevin actions; motor vehicle violations; criminal cases, if the penalty is less than three years imprisonment or does not exceed a fine of $2,500, or both; and civil cases involving amounts not exceeding $2,500. It has concurrent jurisdiction with the circuit courts in civil cases over $2,500, but not exceeding, $20,000, as well as, misdemeanors and certain enumerated felonies. Since there are no juries provided in the District Court, a person entitled to and electing a jury trial must proceed to the circuit court.

Motor Vehicle

The District Court filed 830,400 motor vehicle cases during Fiscal Year 1993. That figure represents a decrease of 19.7 percent from the 1,034,206 filings reported during Fiscal Year 1992. The combined number of filings reported by the five major jurisdictions decreased by 23 percent, contributing to the overall decrease. The most significant decrease was reported by Montgomery County. There were 79,747 motor vehicle filings reported by that jurisdiction during Fiscal Year 1993, compared with 132,671 filings in Fiscal Year 1992, a decrease of 39.9 percent. Prince George's County followed, reporting a 21.7 percent decrease, from 156,222 filings in Fiscal Year 1992 to 122,350 filings in Fiscal Year 1993. There were 75,786 filings reported by Baltimore City, representing a decrease of 21 percent from the 95,922 filings reported during the previous fiscal year. Baltimore and Anne Arundel Counties reported decreases of 17.8 percent and 12.2 percent, respectively (Table DC-4).

The 822,136 motor vehicle cases processed during Fiscal Year 1993 represents a decrease of 20.3 percent from the Fiscal Year 1992 figure of 1,031,252. There were 267,105 motor vehicle cases tried, 462,316 cases paid, and 92,715 "other" dispositions, which included jury trial prayers, nolle prosequi, stet cases, and miscellaneous cases. Contributing to the reduction in the number of disposed motor vehicle cases were the decreases reported in tried and paid cases. There was a 23.6 percent decrease reported in the number of tried cases, from 349,421 in Fiscal Year 1992 to 267,105 in Fiscal Year 1993. The number of cases paid decreased by 22.5 percent. There were 462,316 cases paid during Fiscal Year 1993, compared with 596,478 in Fiscal Year 1992. The sole increase was in the category of "other" dispositions. There were 92,715 "other" dispositions reported, an increase of 8.6 percent. The five major jurisdictions accounted for nearly 59 percent of the motor vehicle cases processed. A decrease was reported by each of these jurisdictions, with Montgomery County reporting the most significant decrease (40.1 percent). Table DC-3 provides a comparison of cases processed over the last two fiscal years.

TABLE DC-1
DISTRICT COURT - CASELOAD BY FISCAL YEAR



* The total caseload for Fiscal Year 1993 is 1,785,677

Criminal

There was a total of 166,018 criminal filings reported by the District Court during Fiscal Year 1993, a decrease of 3.3 percent from the 171,677 filings reported in Fiscal Year 1992. Remaining consistent with the previous fiscal year, the five major jurisdictions accounted for approximately 74.4 percent of the cases filed (123,537). This figure compares to 74.2 percent of the criminal caseload during Fiscal Year 1992. Three of the five major jurisdictions reported decreases in filings. Montgomery County reported the greatest decrease (17 percent), from 14,277 in Fiscal Year 1992 to 11,855 in Fiscal Year 1993. A 10.4 percent decrease was reported by Prince George's County, from 23,781 cases in Fiscal Year 1992 to 21,308 in Fiscal Year 1993. Anne Arundel County reported a decrease of 4.9 percent from the 13,619 filings reported in Fiscal Year 1992 to the 12,948 reported in Fiscal Year 1993. Baltimore City reported an increase of 3.1 percent (57,120 cases in Fiscal Year 1992 compared to 58,892 cases in Fiscal Year 1993), while Baltimore County's criminal filings has remained relatively consistent over the last two fiscal years (18,525 in Fiscal Year 1992, compared with 18,534 in Fiscal Year 1993).

During Fiscal Year 1993, there were 178,543 criminal cases processed by the District Court. That figure represents an increase of 0.7 percent over the previous year, during which 177,274 cases were processed. The greatest number of cases (59,826) were processed by Baltimore City, followed by Prince George's County (26,160). The dispositions reported by the two aforementioned jurisdictions represent increases over the previous year; 2.2 percent in Baltimore City and 16.1 percent in Prince George's County. Anne Arundel County also reported an increase in criminal dispositions (3.3 percent), from 13,689 in Fiscal Year 1992 to 14,134 in Fiscal Year 1993. There was a 14.9 percent decrease reported in criminal dispositions by Montgomery County, from 15,410 in Fiscal Year 1992 to 13,116 in Fiscal Year 1993. Baltimore County also reported a decrease of 3.1 percent, with 19,463 criminal dispositions in Fiscal Year 1992 compared to 18,865 in Fiscal Year 1993. Collectively, the five major jurisdictions processed 132,101 criminal cases. This figure represents approximately 74 percent of the total number of criminal cases processed by the District Court during Fiscal Year 1993. Table DC-8 provides a comparison of the volume of criminal cases processed by the District Court over a five-year period.

Civil

The District Court reported a decrease in civil filings during Fiscal Year 1993. There were 790,796 total filings reported for Fiscal Year 1992, compared with 784,998 in Fiscal Year 1993, a decrease of 0.7 percent. Slight increases occurred in four of the five major jurisdictions. Montgomery County reported 82,302 civil filings for Fiscal Year 1993. This figure represents an increase of 1.8 percent over the 80,878 filings reported in Fiscal Year 1992. An increase of 1.1 percent was reported by Anne Arundel County, from 43,454 in Fiscal Year 1992 to 43,927 in Fiscal

Year 1993. Increases of 0.7 percent and 0.3 percent were reported by Prince George's and Baltimore Counties, respectively. The only major jurisdiction in which a decrease occurred was Baltimore City. There were 238,795 filings reported in Fiscal Year 1993, a decrease of 3.4 percent from the 247,243 filings in Fiscal Year 1992. However, Baltimore City still contributed the greatest percentage of total number of civil filings in Fiscal Year 1993, 30.4 percent.

Approximately 71 percent of the civil filings reported were comprised of landlord and tenant cases. There were 557,206 landlord tenant filings reported for Fiscal Year 1993. This figure compares to the 552,223 filings reported in Fiscal Year 1992, an increase of 0.9 percent. Baltimore City reported 192,046 filings, representing more than 34 percent of the landlord tenant cases. Prince George's County contributed 24.4 percent of the landlord tenant filings, with a total of 135,959 cases. Baltimore County reported 103,886 filings, while Montgomery and Anne Arundel Counties reported 49,528 and 27,416 filings, respectively. Of the 557,206 landlord and tenant cases filed, approximately 5.2 percent (29,203 cases) were contested.

Contract and tort cases accounted for 24.9 percent of the civil cases filed during Fiscal Year 1993. There were 195,848 contract and tort filings reported, compared with 203,040 in Fiscal Year 1992, a decrease of 3.5 percent. The greatest number of contract and tort cases was reported by Baltimore City (41,976), followed by Prince George's County (37,059). The remaining portion of the civil caseload was comprised of "other" complaints filed, which included attachments before judgment, confessed judgments, and replevin actions (Table DC-4).

The District Court also reported 12,299 special proceedings during the year. That figure included 2,774 emergency evaluations, 9,114 domestic violence cases, and 411 child abuse cases (Table DC-12).

Trends

For the second consecutive year, the District Court has reported a decrease in overall filings. There was a 10.8 percent decrease reported in Fiscal Year 1993. That compares to a 4.8 percent decrease in Fiscal Year 1992. The decline in motor vehicle filings (19.7 percent) had the most significant impact upon the general decrease in total District Court filings. Additionally, decreases were reported in civil (0.7 percent) and criminal (3.3 percent) filings as well. For the second consecutive year, motor vehicle filings declined. However, the Fiscal Year 1993 decrease in civil and criminal filings follows an increase during the previous year.

Motor vehicle filings increased by more than 67 percent from Fiscal Year 1984 to Fiscal Year 1991. However, over the past two years, motor vehicle filings have decreased by approximately 28.4 percent. Each of the five major jurisdictions reported decreases in motor vehicle filings during the same period of time. The decreases reported by those jurisdictions undoubtedly contributed to the overall decline in filing activity. The most significant decrease, 55.2 percent, was reported by Montgomery County, from 177,993 in Fiscal Year 1991 to 79,747 in Fiscal Year 1993. Prince George's County reported a 39.4 percent decrease over the same period of time (201,950 in Fiscal Year 1991 to 122,350 in Fiscal Year 1993), while a 30.2 percent decrease was reported by Baltimore City (108,561 in Fiscal Year 1991 to 75,786 in Fiscal Year 1993). Baltimore and Anne Arundel Counties reported decreases of 26.9 percent and 7 percent, respectively.

Over the past five years, "Driving While Intoxicated" (DWI) filings have decreased by 27.9 percent, from 44,666 in Fiscal Year 1989 to 32,209 in Fiscal Year 1993. This steady decrease contributed to the reduction in overall motor vehicle filings during the past several years. Since Fiscal Year 1989, the number of DWI cases reported by Montgomery County has decreased by 47.2 percent. Over the same period of time, filings in Baltimore City have decreased by 44 percent, while filings in Prince George's County decreased by 43.3 percent Baltimore and Anne Arundel Counties reported decreases of 36.5 percent and 8.5 percent, respectively. As indicated on Table DC-10, the number of DWI filings reported by Baltimore City and Prince George's and Baltimore Counties has decreased steadily during the past five years.

Criminal filings have fluctuated during the last five fiscal years, ranging from a low of 166,018 in Fiscal Year 1993 to a high of 171,677 in Fiscal Year 1992. Throughout this period, Baltimore City continued to contribute the greatest number of filings. During Fiscal Year 1993, more than 35 percent of the criminal cases were received from Baltimore City. The remaining four large jurisdictions contributed 38.9 percent of the criminal filings. Baltimore City reported its third consecutive increase, 7.9 percent, since Fiscal Year 1991.

In contrast, Montgomery and Prince George's Counties reported their third consecutive reduction in criminal filings since Fiscal Year 1991, decreasing by 17 percent and 15.3 percent, respectively.

The number of criminal cases processed by the District Court has increased by 4.3 percent since Fiscal Year 1991, from 171,117 to 178,543. The five largest jurisdictions continued to process the majority of criminal cases (74 percent) during Fiscal Year 1993. The number of cases processed by Baltimore City and Prince George's County has fluctuated with no discernible trend, while Montgomery County reported its first decrease since Fiscal Year 1987. Baltimore County reported its third consecutive decrease, from 20,293 criminal dispositions in Fiscal Year 1990 to 18,865 in Fiscal Year 1993 (Table DC-8).

For the first time in its history, the District Court recorded a decrease in civil filings. There were 784,998 filings reported during Fiscal Year 1993. That figure represents a decrease of 0.7 percent from the previous year. A decrease of 3.4 percent reported by Baltimore City contributed to the slight decrease reported in overall civil filings. Decreases reported in contract and tort cases, as well as "other" complaints during Fiscal Year 1993, also contributed to the decline in filing activity. The reduction in contract and tort filings represents the first decrease in the last five years. Decreases reported by Baltimore City (10.2 percent) and Baltimore County (6.4 percent) contributed to the overall reduction in contract and tort filings. Additionally, four of the five largest jurisdictions reported decreases in "other" complaints filed. The most significant decrease, 33.3 percent, was reported by Baltimore City. However, landlord tenant filings have increased steadily over the last five years and continue to comprise a majority of the District Court's civil caseload.

DISTRICT COURT FISCAL YEAR 1993
CASELOAD BREAKDOWN

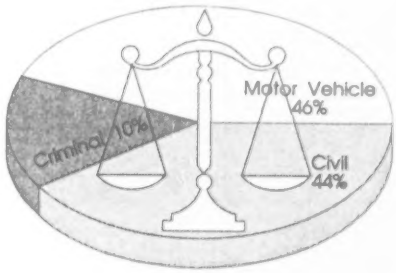


TABLE DC-2

**FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE AND CRIMINAL CASES PROCESSED
AND CIVIL CASES FILED IN THE DISTRICT COURT
OF MARYLAND**

FISCAL 1989–FISCAL 1993

	1988-89	1989-90	1990-91	1991-92	1992-93
DISTRICT 1					
Baltimore City	388,351	399,437	391,239	402,025	374,971
DISTRICT 2					
Dorchester	16,926	17,975	17,480	17,325	16,037
Somerset	10,490	12,738	13,133	12,261	10,225
Wicomico	33,426	35,522	37,053	37,653	31,409
Worcester	27,965	29,509	27,820	24,889	25,151
DISTRICT 3					
Caroline	8,901	8,966	8,960	8,926	8,363
Cecil	40,049	40,503	42,153	41,829	35,018
Kent	5,551	6,298	6,157	6,624	6,415
Queen Anne's	10,976	12,498	13,052	13,408	12,598
Talbot	12,218	13,297	14,697	14,644	16,409
DISTRICT 4					
Calvert	14,211	18,346	18,328	17,118	17,251
Charles	26,317	25,837	26,100	28,909	28,515
St. Mary's	15,969	17,212	18,722	18,819	20,228
DISTRICT 5					
Prince George's	310,803	335,629	358,221	361,171	312,639
DISTRICT 6					
Montgomery	225,437	237,890	254,374	235,624	178,883
DISTRICT 7					
Anne Arundel	128,460	132,458	142,402	152,101	140,389
DISTRICT 8					
Baltimore	286,069	308,796	324,420	319,881	289,411
DISTRICT 9					
Harford	52,276	55,694	56,161	56,798	53,948
DISTRICT 10					
Carroll	25,884	28,803	29,369	30,070	28,579
Howard	74,096	74,168	72,424	71,922	66,790
DISTRICT 11					
Frederick	52,339	55,634	56,514	62,222	50,906
Washington	35,880	37,102	36,386	32,672	31,901
DISTRICT 12					
Allegany	18,956	21,094	20,886	19,963	19,623
Garrett	9,126	9,186	11,020	12,468	10,018
STATE	**1,830,676**	**1,934,592**	**1,997,071**	**1,999,322**	**1,785,677**

TABLE DC-3

COMPARATIVE TABLE ON CASES FILED OR PROCESSED IN THE DISTRICT COURT OF MARYLAND

FISCAL 1992–FISCAL 1993

	MOTOR VEHICLE CASES PROCESSED			CRIMINAL CASES PROCESSED			CIVIL CASES FILED		
	1991-92	1992-93	% Change	1991-92	1992-93	% Change	1991-92	1992-93	% Change
DISTRICT 1									
Baltimore City	96,262	76,350	-20.7	58,520	59,826	2.2	247,243	238,795	-3.4
DISTRICT 2									
Dorchester	11,685	11,365	-2.7	1,858	1,655	-10.9	3,782	3,017	-20.2
Somerset	9,512	7,685	-19.2	1,061	1,027	-3.2	1,688	1,513	-10.4
Wicomico	24,213	18,994	-21.6	3,653	3,346	-8.4	9,787	9,069	-7.3
Worcester	17,024	17,873	5.0	3,681	3,815	3.6	4,184	3,463	-17.2
DISTRICT 3									
Caroline	6,120	5,595	-8.6	924	975	5.5	1,882	1,793	-4.7
Cecil	34,563	28,023	-18.9	2,871	2,836	-1.2	4,395	4,159	-5.4
Kent	4,326	4,356	0.7	529	514	-2.8	1,769	1,545	-12.7
Queen Anne's	10,512	9,716	-7.6	933	934	0.1	1,963	1,948	-0.8
Talbot	10,790	12,568	16.5	1,240	1,369	10.4	2,614	2,472	-5.4
DISTRICT 4									
Calvert	13,221	12,978	-1.8	1,816	2,146	18.2	2,081	2,127	2.2
Charles	17,401	17,171	-1.3	4,043	3,884	-3.9	7,465	7,460	-0.1
St. Mary's	11,283	12,947	14.7	2,603	2,364	-9.2	4,933	4,917	-0.3
DISTRICT 5									
Prince George's	160,789	107,441	-33.2	22,524	26,160	16.1	177,858	179,038	0.7
DISTRICT 6									
Montgomery	139,336	83,465	-40.1	15,410	13,116	-14.9	80,878	82,302	1.8
DISTRICT 7									
Anne Arundel	94,958	82,328	-13.3	13,689	14,134	3.3	43,454	43,927	1.1
DISTRICT 8									
Baltimore	164,393	134,054	-18.5	19,463	18,865	-3.1	136,025	136,492	0.3
DISTRICT 9									
Harford	38,461	36,006	-6.4	4,531	4,070	-10.2	13,806	13,872	0.5
DISTRICT 10									
Carroll	22,331	20,753	-7.1	2,260	2,429	7.5	5,479	5,397	-1.5
Howard	52,533	45,201	-14.0	4,213	4,227	0.3	15,176	17,362	14.4
DISTRICT 11									
Frederick	46,722	35,613	-23.8	3,694	3,813	3.2	11,806	11,480	-2.8
Washington	20,198	19,052	-5.7	3,583	3,354	-6.4	8,891	9,495	6.8
DISTRICT 12									
Allegany	14,208	14,449	1.7	3,102	2,782	-10.3	2,653	2,392	-9.8
Garrett	10,411	8,153	-21.7	1,073	902	-15.9	984	963	-2.1
STATE	**1,031,252**	**822,136**	**-20.3**	**177,274**	**178,543**	**0.7**	**790,796**	**784,998**	**-0.7**

TABLE DC-4

MOTOR VEHICLE, CRIMINAL, AND CIVIL CASES FILED AND PROCESSED IN THE DISTRICT COURT OF MARYLAND

JULY 1, 1992–JUNE 30, 1993
FISCAL YEAR 1993

	MOTOR VEHICLE CASES					CRIMINAL CASES		CIVIL CASES							
								Landlord and Tenant		Contract and Tort		Other Com-plaints Filed	Total		TOTAL CASES FILED
	Cases Filed	Cases Tried	Cases Paid	Other Disposi-tions	Total Cases Pro-cessed	Cases Filed	Cases Pro-cessed	Filed	Con-tested	Filed	Con-tested		Filed	Con-tested	
DISTRICT 1	**75,786**	**34,215**	**35,251**	**6,884**	**76,350**	**58,892**	**59,826**	**192,046**	**10,659**	**41,976**	**2,346**	**4,773**	**238,795**	**13,005**	**373,473**
Baltimore City	75,786	34,215	35,251	6,884	76,350	58,892	59,826	192,046	10,659	41,976	2,346	4,773	238,795	13,005	373,473
DISTRICT 2	**58,643**	**9,572**	**40,663**	**5,682**	**55,917**	**9,242**	**9,843**	**7,512**	**1,039**	**7,631**	**748**	**1,919**	**17,062**	**1,787**	**84,947**
Dorchester	12,011	2,898	7,909	558	11,365	1,690	1,655	803	159	1,719	194	495	3,017	353	16,718
Somerset	8,650	678	6,377	630	7,685	991	1,027	570	20	741	93	202	1,513	113	11,154
Wicomico	18,909	2,840	14,364	1,800	18,994	3,149	3,346	5,210	708	3,107	198	752	9,069	906	31,127
Worcester	19,073	3,156	12,023	2,694	17,873	3,412	3,815	929	152	2,064	263	470	3,463	415	25,948
DISTRICT 3	**61,535**	**14,169**	**41,281**	**4,808**	**60,258**	**5,986**	**6,628**	**3,503**	**379**	**7,023**	**526**	**1,391**	**11,917**	**905**	**79,438**
Caroline	5,816	1,421	3,669	505	5,595	869	975	458	66	1,123	88	212	1,793	154	8,478
Cecil	29,373	5,268	20,240	2,515	28,023	2,586	2,836	1,511	133	2,204	174	444	4,159	307	36,118
Kent	4,700	901	3,149	306	4,356	462	514	239	66	1,108	50	198	1,545	116	6,707
Queen Anne's	10,191	2,684	6,201	831	9,716	796	934	412	57	1,235	129	301	1,948	186	12,935
Talbot	11,455	3,895	8,022	651	12,568	1,273	1,369	883	57	1,353	85	236	2,472	142	15,200
DISTRICT 4	**43,102**	**10,647**	**24,180**	**8,269**	**43,096**	**7,549**	**8,394**	**5,995**	**484**	**6,933**	**967**	**1,576**	**14,504**	**1,451**	**65,155**
Calvert	13,160	4,184	7,054	1,740	12,978	1,950	2,146	307	78	1,575	281	245	2,127	359	17,237
Charles	16,486	4,800	9,955	2,416	17,171	3,357	3,884	3,088	293	3,511	329	861	7,460	622	27,303
St. Mary's	13,456	1,663	7,171	4,113	12,947	2,242	2,364	2,600	113	1,847	357	470	4,917	470	20,615
DISTRICT 5	**122,350**	**32,308**	**59,942**	**15,191**	**107,441**	**21,308**	**26,160**	**135,959**	**8,342**	**37,059**	**1,563**	**6,020**	**179,038**	**9,905**	**322,696**
Prince George's	122,350	32,308	59,942	15,191	107,441	21,308	26,160	135,959	8,342	37,059	1,563	6,020	179,038	9,905	322,696
DISTRICT 6	**79,747**	**25,905**	**48,056**	**9,504**	**83,465**	**11,855**	**13,116**	**49,528**	**2,492**	**28,407**	**4,838**	**4,367**	**82,302**	**7,330**	**173,904**
Montgomery	79,747	25,905	48,056	9,504	83,465	11,855	13,116	49,528	2,492	28,407	4,838	4,367	82,302	7,330	173,904
DISTRICT 7	**83,553**	**31,453**	**38,144**	**12,731**	**82,328**	**12,948**	**14,134**	**27,416**	**1,175**	**14,275**	**1,129**	**2,236**	**43,927**	**2,304**	**140,428**
Anne Arundel	83,553	31,453	38,144	12,731	82,328	12,948	14,134	27,416	1,175	14,275	1,129	2,236	43,927	2,304	140,428
DISTRICT 8	**131,317**	**57,283**	**65,921**	**10,850**	**134,054**	**18,534**	**18,865**	**103,886**	**2,772**	**27,035**	**5,358**	**5,571**	**136,492**	**8,130**	**286,343**
Baltimore County	131,317	57,283	65,921	10,850	134,054	18,534	18,865	103,886	2,772	27,035	5,358	5,571	136,492	8,130	286,343
DISTRICT 9	**35,902**	**12,626**	**20,995**	**2,385**	**36,006**	**3,743**	**4,070**	**8,271**	**505**	**4,790**	**641**	**811**	**13,872**	**1,146**	**53,517**
Harford	35,902	12,626	20,995	2,385	36,006	3,743	4,070	8,271	505	4,790	641	811	13,872	1,146	53,517
DISTRICT 10	**62,137**	**22,383**	**35,339**	**8,232**	**65,954**	**5,840**	**6,656**	**13,400**	**419**	**8,017**	**593**	**1,342**	**22,759**	**1,012**	**90,736**
Carroll	19,638	7,051	10,831	2,871	20,753	2,220	2,429	1,455	157	3,256	116	686	5,397	273	27,255
Howard	42,499	15,332	24,508	5,361	45,201	3,620	4,227	11,945	262	4,761	477	656	17,362	739	63,481
DISTRICT 11	**53,554**	**12,037**	**36,371**	**6,257**	**54,665**	**6,378**	**7,167**	**9,090**	**787**	**10,248**	**1,010**	**1,637**	**20,975**	**1,797**	**80,907**
Frederick	33,779	8,746	23,116	3,751	35,613	3,352	3,813	5,209	303	5,292	472	979	11,480	775	48,611
Washington	19,775	3,291	13,255	2,506	19,052	3,026	3,354	3,881	484	4,956	538	658	9,495	1,022	32,296
DISTRICT 12	**22,774**	**4,507**	**16,173**	**1,922**	**22,602**	**3,743**	**3,684**	**600**	**150**	**2,454**	**225**	**301**	**3,355**	**375**	**29,872**
Allegany	14,415	3,132	9,708	1,609	14,449	2,725	2,782	494	150	1,686	147	212	2,392	297	19,532
Garrett	8,359	1,375	6,465	313	8,153	1,018	902	106	0	768	78	89	963	78	10,340
STATE	**830,400**	**267,105**	**462,316**	**92,715**	**822,136**	**166,018**	**178,543**	**557,206**	**29,203**	**195,848**	**19,944**	**31,944**	**784,998**	**49,147**	**1,781,416**

TABLE DC-5

POPULATION AND CASELOAD PER DISTRICT COURT JUDGE*
AS OF JUNE 30, 1993

JULY 1, 1992–JUNE 30, 1993
FISCAL 1993

	Number of Judges	Population Per Judge**	CASES FILED OR PROCESSED PER JUDGE			
			Civil	Motor Vehicle	Criminal	Total
DISTRICT 1						
Baltimore City	23	31,626	10,382	3,320	2,601	16,303
DISTRICT 2						
Dorchester	1	30,300	3,017	11,365	1,655	16,037
Somerset	1	24,800	1,513	7,685	1,027	10,225
Wicomico	2	38,950	4,535	9,497	1,673	15,705
Worcester	1	36,200	3,463	17,873	3,815	25,151
DISTRICT 3						
Caroline	1	28,400	1,793	5,595	975	8,363
Cecil	2	37,550	2,080	14,012	1,418	17,510
Kent	1	18,200	1,545	4,356	514	6,415
Queen Anne's	1	36,700	1,948	9,716	934	12,598
Talbot	1	32,100	2,472	12,568	1,369	16,409
DISTRICT 4						
Calvert	1	57,100	2,127	78	2,146	17,251
Charles	2	55,500	3,730	8,586	1,942	14,258
St. Mary's	1	81,200	4,917	12,947	2,364	20,228
DISTRICT 5						
Prince George's	11	68,555	16,276	9,767	2,378	28,421
DISTRICT 6						
Montgomery	9***	91,011	9,145	9,274	1,457	19,876
DISTRICT 7						
Anne Arundel	7	63,600	6,275	11,761	2,019	20,055
DISTRICT 8						
Baltimore	12	58,583	11,374	11,171	1,572	24,117
DISTRICT 9						
Harford	4	48,675	3,468	9,002	1,018	13,488
DISTRICT 10						
Carroll	2	66,100	2,699	10,377	1,215	14,291
Howard	4	52,750	4,341	11,300	1,057	16,698
DISTRICT 11						
Frederick	2	81,400	5,740	17,807	1,907	25,454
Washington	2	62,050	4,748	9,526	1,677	15,951
DISTRICT 12						
Allegany	2	36,400	1,196	7,225	1,391	9,812
Garrett	1	28,500	963	8,153	902	10,018
STATE	**94**	**53,020**	**8,351**	**8,746**	**1,899**	**18,996**

* Chief Judge of District Court not included in statistics. Number of judges as of June 30, 1993.
** Population estimate for July 1, 1993, issued by the Maryland Center for Health Statistics.
*** Two Juvenile Court judges and juvenile causes omitted as included in juvenile statistics.

TABLE DC-6

CASES FILED OR PROCESSED IN THE DISTRICT COURT PER THOUSAND POPULATION

JULY 1, 1992–JUNE 30, 1993 FISCAL 1993

	Population*	Civil Filed	Motor Vehicle Processed	Criminal Processed	Total
DISTRICT 1					
Baltimore City	727,400	328	105	82	515
DISTRICT 2					
Dorchester	30,300	99	375	55	529
Somerset	24,800	61	310	41	412
Wicomico	77,900	116	244	43	403
Worcester	36,200	96	494	105	695
DISTRICT 3					
Caroline	28,400	63	197	34	294
Cecil	75,100	55	373	38	466
Kent	18,200	85	239	28	352
Queen Anne's	36,700	53	265	25	343
Talbot	32,100	77	392	43	512
DISTRICT 4					
Calvert	57,100	37	227	38	302
Charles	111,000	67	155	35	257
St. Mary's	81,200	61	159	29	249
DISTRICT 5					
Prince George's	754,100	237	142	35	414
DISTRICT 6					
Montgomery	819,100	100	102	16	218
DISTRICT 7					
Anne Arundel	445,200	99	185	32	316
DISTRICT 8					
Baltimore	703,000	194	191	27	412
DISTRICT 9					
Harford	194,700	71	185	21	277
DISTRICT 10					
Carroll	132,200	41	157	18	216
Howard	211,000	82	214	20	316
DISTRICT 11					
Frederick	162,800	71	219	23	313
Washington	124,100	77	154	27	258
DISTRICT 12					
Allegany	72,800	33	198	38	269
Garrett	28,500	34	286	32	352
STATE	**4,983,900**	**158**	**165**	**36**	**359**

* Population estimate for July 1, 1993, issued by the Maryland Center for Health Statistics

TABLE DC-7

FIVE-YEAR COMPARATIVE TABLE
MOTOR VEHICLE CASES PROCESSED
BY THE DISTRICT COURT OF MARYLAND

FISCAL 1989–FISCAL 1993

	1988-89	1989-90	1990-91	1991-92	1992-93
DISTRICT 1					
Baltimore City	99,416	103,068	92,805	96,262	76,350
DISTRICT 2					
Dorchester	12,398	12,711	12,086	11,685	11,365
Somerset	8,492	10,394	10,478	9,512	7,685
Wicomico	21,955	23,808	24,411	24,213	18,994
Worcester	21,762	23,148	20,869	17,024	17,873
DISTRICT 3					
Caroline	6,411	6,201	5,846	6,120	5,595
Cecil	34,886	34,694	35,128	34,563	28,023
Kent	3,608	3,956	3,916	4,326	4,356
Queen Anne's	8,840	10,114	10,236	10,512	9,716
Talbot	9,101	9,895	10,793	10,790	12,568
DISTRICT 4					
Calvert	10,686	14,626	14,782	13,221	12,978
Charles	16,765	16,224	16,148	17,401	17,171
St. Mary's	10,026	10,335	11,144	11,283	12,947
DISTRICT 5					
Prince George's	126,732	140,832	163,326	160,789	107,441
DISTRICT 6					
Montgomery	142,684	153,308	163,658	139,336	83,465
DISTRICT 7					
Anne Arundel	80,628	85,254	89,811	94,958	82,328
DISTRICT 8					
Baltimore	150,863	159,647	168,155	164,393	134,054
DISTRICT 9					
Harford	39,571	41,544	39,910	38,461	36,006
DISTRICT 10					
Carroll	19,126	21,890	21,925	22,331	20,753
Howard	56,895	55,799	52,261	52,533	45,201
DISTRICT 11					
Frederick	39,713	41,821	41,368	46,722	35,613
Washington	25,809	25,462	24,197	20,198	19,052
DISTRICT 12					
Allegany	14,764	16,637	15,905	14,208	14,449
Garrett	7,262	7,531	8,902	10,411	8,153
STATE	**968,393**	**1,028,899**	**1,058,060**	**1,031,252**	**822,136**

TABLE DC-8

FIVE-YEAR COMPARATIVE TABLE
CRIMINAL CASES BY THE NUMBER OF DEFENDANTS CHARGED
PROCESSED IN THE DISTRICT COURT OF MARYLAND

FISCAL 1989–FISCAL 1993

	1988-89	1989-90	1990-91	1991-92	1992-93
DISTRICT 1					
Baltimore City	54,920	59,096	53,768	58,520	59,826
DISTRICT 2					
Dorchester	1,599	1,996	1,792	1,858	1,655
Somerset	733	882	1,086	1,061	1,027
Wicomico	2,674	2,729	3,113	3,653	3,346
Worcester	3,209	3,338	3,827	3,681	3,815
DISTRICT 3					
Caroline	812	926	1,014	924	975
Cecil	2,122	2,568	2,996	2,871	2,836
Kent	470	504	537	529	514
Queen Anne's	591	710	787	933	934
Talbot	918	1,160	1,138	1,240	1,369
DISTRICT 4					
Calvert	1,521	2,148	1,710	1,816	2,146
Charles	3,632	3,725	3,817	4,043	3,884
St. Mary's	2,008	2,297	2,118	2,603	2,364
DISTRICT 5					
Prince George's	20,642	26,937	24,939	22,524	26,160
DISTRICT 6					
Montgomery	11,904	12,940	14,237	15,410	13,116
DISTRICT 7					
Anne Arundel	10,694	13,181	13,172	13,689	14,134
DISTRICT 8					
Baltimore	18,773	20,293	19,680	19,463	18,865
DISTRICT 9					
Harford	2,847	3,361	3,619	4,531	4,070
DISTRICT 10					
Carroll	2,461	2,697	2,452	2,260	2,429
Howard	3,871	4,305	4,408	4,213	4,227
DISTRICT 11					
Frederick	3,355	3,650	3,711	3,694	3,813
Washington	3,323	3,632	3,546	3,583	3,354
DISTRICT 12					
Allegany	2,059	2,039	2,516	3,102	2,782
Garrett	1,029	834	1,134	1,073	902
STATE	**156,167**	**175,948**	**171,117**	**177,274**	**178,543**

TABLE DC-9

FIVE-YEAR COMPARATIVE TABLE
CIVIL CASES FILED
IN THE DISTRICT COURT OF MARYLAND

FISCAL 1989–FISCAL 1993

	1988-89	1989-90	1990-91	1991-92	1992-93
DISTRICT 1					
Baltimore City	234,015	237,273	244,666	247,243	238,795
DISTRICT 2					
Dorchester	2,929	3,268	3,602	3,782	3,017
Somerset	1,265	1,462	1,569	1,688	1,513
Wicomico	8,797	8,985	9,529	9,787	9,069
Worcester	2,994	3,023	3,124	4,184	3,463
DISTRICT 3					
Caroline	1,678	1,839	2,100	1,882	1,793
Cecil	3,051	3,241	4,029	4,395	4,159
Kent	1,473	1,838	1,704	1,769	1,545
Queen Anne's	1,545	1,674	2,029	1,963	1,948
Talbot	2,199	2,242	2,766	2,614	2,472
DISTRICT 4					
Calvert	2,004	1,572	1,836	2,081	2,127
Charles	5,920	5,888	6,135	7,465	7,460
St. Mary's	3,935	4,530	5,460	4,933	4,917
DISTRICT 5					
Prince George's	163,429	167,860	169,956	177,858	179,038
DISTRICT 6					
Montgomery	70,849	71,642	76,479	80,878	82,302
DISTRICT 7					
Anne Arundel	37,138	34,023	39,419	43,454	43,927
DISTRICT 8					
Baltimore	116,433	128,856	136,585	136,025	136,492
DISTRICT 9					
Harford	9,858	10,789	12,632	13,806	13,872
DISTRICT 10					
Carroll	4,297	4,216	4,992	5,479	5,397
Howard	13,330	14,064	15,755	15,176	17,362
DISTRICT 11					
Frederick	9,271	10,163	11,435	11,806	11,480
Washington	6,748	8,008	8,643	8,891	9,495
DISTRICT 12					
Allegany	2,133	2,418	2,465	2,653	2,392
Garrett	835	821	984	984	963
STATE	**706,126**	**729,745**	**767,894**	**790,796**	**784,998**

TABLE DC-10

FIVE-YEAR COMPARATIVE TABLE
DRIVING WHILE INTOXICATED CASES RECEIVED BY
THE DISTRICT COURT OF MARYLAND

FISCAL 1989–FISCAL 1993

	1988-89	1989-90	1990-91	1991-92	1992-93	% Change
DISTRICT 1						
Baltimore City	3,048	2,527	2,134	1,893	1,708	-9.8
DISTRICT 2						
Dorchester	342	356	353	324	265	-18.2
Somerset	290	298	300	237	197	-16.9
Wicomico	716	793	673	595	504	-15.3
Worcester	893	957	862	913	815	-10.7
DISTRICT 3						
Caroline	272	218	202	194	231	19.1
Cecil	1,051	1,217	1,098	910	746	-18.0
Kent	190	166	140	183	283	54.6
Queen Anne's	330	306	342	316	310	-1.9
Talbot	338	357	435	413	310	-24.9
DISTRICT 4						
Calvert	984	1,120	1,190	807	731	-9.4
Charles	1,181	1,113	899	870	774	-11.0
St. Mary's	604	579	926	1,103	1,127	2.2
DISTRICT 5						
Prince George's	6,860	6,041	4,836	4,004	3,888	-2.9
DISTRICT 6						
Montgomery	5,692	6,179	6,558	4,968	3,006	-39.5
DISTRICT 7						
Anne Arundel	7,710	6,877	6,169	7,610	7,055	-7.3
DISTRICT 8						
Baltimore	4,926	4,560	4,093	3,560	3,127	-12.2
DISTRICT 9						
Harford	1,579	1,477	1,550	1,509	1,406	-6.8
DISTRICT 10						
Carroll	714	920	956	872	1,102	26.4
Howard	3,062	2,493	2,341	2,109	1,690	-19.9
DISTRICT 11						
Frederick	1,752	1,555	1,572	1,602	1,318	-17.7
Washington	1,209	1,317	1,149	912	821	-10.0
DISTRICT 12						
Allegany	530	574	612	636	578	-9.1
Garrett	393	406	317	283	217	-23.3
STATE	**44,666**	**42,406**	**39,707**	**36,823**	**32,209**	**-12.5**

TABLE DC-11

DRIVING WHILE INTOXICATED DISPOSITIONS

FISCAL 1993

	Guilty	Not Guilty	Probation Before Judgment	Nolle Prossed	Stet	Merged	Jury Trial Prayers	Dismissed	Miscellaneous	Total Dispositions
DISTRICT 1										
Baltimore City	595	53	718	136	162	0	109	7	11	1,791
DISTRICT 2										
Dorchester	256	19	29	19	1	0	18	0	0	342
Somerset	86	6	1	27	0	0	74	0	0	194
Wicomico	302	24	174	71	20	0	65	0	1	657
Worcester	384	16	149	167	11	0	220	0	2	949
DISTRICT 3										
Caroline	151	3	35	14	2	0	21	2	0	228
Cecil	443	2	122	54	10	0	275	0	2	908
Kent	123	4	124	10	3	0	20	1	0	285
Queen Anne's	239	15	40	59	0	1	12	0	0	366
Talbot	277	16	110	34	4	1	11	1	1	455
DISTRICT 4										
Calvert	299	14	315	48	19	0	61	0	6	762
Charles	489	6	241	80	8	0	56	0	8	888
St. Mary's	420	25	75	362	35	15	240	4	2	1,178
DISTRICT 5										
Prince George's	416	113	964	1,160	226	12	743	27	4	3,665
DISTRICT 6										
Montgomery	1,163	58	1,103	439	743	0	311	10	16	3,843
DISTRICT 7										
Anne Arundel	1,271	792	1,832	2,601	534	550	133	13	42	7,768
DISTRICT 8										
Baltimore County	1,170	107	1,686	393	43	0	203	3	20	3,625
DISTRICT 9										
Harford	607	13	706	55	17	0	276	1	11	1,686
DISTRICT 10										
Carroll	166	65	259	53	2	76	529	2	11	1,163
Howard	526	39	780	240	76	9	473	7	13	2,163
DISTRICT 11										
Frederick	593	9	669	112	21	0	315	0	5	1,724
Washington	589	11	171	30	22	0	167	0	1	991
DISTRICT 12										
Allegany	413	11	205	48	12	0	45	0	5	739
Garrett	180	5	89	17	3	0	7	0	0	301
STATE	**11,158**	**1,426**	**10,597**	**6,229**	**1,974**	**664**	**4,384**	**78**	**161**	**36,671**

TABLE DC-12

FIVE-YEAR COMPARATIVE TABLE
EMERGENCY EVALUATION AND DOMESTIC ABUSE HEARINGS
HELD IN THE DISTRICT COURT OF MARYLAND

FISCAL 1989–FISCAL 1993

	Emergency Hearings					Domestic Violence				
	1988-89	1989-90	1990-91	1991-92	1992-93	1988-89	1989-90	1990-91	1991-92	1992-93
DISTRICT 1										
Baltimore City	815	828	880	940	676	2,027	2,120	2,098	2,218	2,498
DISTRICT 2										
Dorchester	22	23	20	8	16	29	31	35	40	64
Somerset	13	12	4	4	7	19	15	28	14	18
Wicomico	65	69	42	52	88	89	114	100	125	185
Worcester	32	17	18	23	21	31	37	31	61	42
DISTRICT 3										
Caroline	3	4	4	2	1	15	21	23	18	25
Cecil	29	26	39	51	39	69	84	119	88	165
Kent	17	13	20	16	18	11	16	13	12	17
Queen Anne's	9	12	8	8	10	24	17	26	42	46
Talbot	16	13	7	2	1	22	18	18	12	44
DISTRICT 4										
Calvert	1	1	4	8	18	15	24	20	46	92
Charles	34	37	39	51	53	23	58	59	84	134
St. Mary's	65	75	35	20	33	74	44	51	54	135
DISTRICT 5										
Prince George's	430	454	420	434	443	673	782	692	836	1,995
DISTRICT 6										
Montgomery	265	336	406	432	464	405	456	488	548	632
DISTRICT 7										
Anne Arundel	199	223	175	215	211	300	393	330	297	652
DISTRICT 8										
Baltimore	331	383	420	445	405	623	777	810	856	1,302
DISTRICT 9										
Harford	6	18	20	37	36	4	62	55	70	145
DISTRICT 10										
Carroll	16	42	20	31	16	49	53	55	75	79
Howard	35	57	73	67	69	95	110	118	103	134
DISTRICT 11										
Frederick	35	35	46	50	46	85	147	151	193	219
Washington	24	24	31	35	51	114	129	164	178	256
DISTRICT 12										
Allegany	53	34	33	39	55	116	119	103	100	162
Garrett	20	11	13	13	17	66	83	78	94	73
STATE	**2,535**	**2,747**	**2,777**	**2,983**	**2,774**	**4,978**	**5,710**	**5,665**	**6,164**	**9,114**

Judicial Administration

Judicial Administration

Administrative Office of the Courts

Under Article IV, §18(b) of the Maryland Constitution, the Chief Judge of the Court of Appeals is the "administrative head of the judicial system of the State."

Thirty-eight years ago, the Maryland Legislature took an additional step to provide the administrative and professional staff necessary to assist the Chief Judge to carry out the administrative responsibilities under the Constitution by enacting §13-101 of the Courts and Judicial Proceedings Article. This statute established the Administrative Office of the Courts under the direction of the State Court Administrator, who is appointed and serves at the pleasure of the Chief Judge. The State Court Administrator and the Administrative Office provide the Chief Judge with advice, information, facilities, and staff to assist in the performance of the Chief Judge's administrative responsibilities. The administrative responsibilities include personnel administration, preparation and administration of the Judiciary budget, liaison with legislative and executive branches, planning and research, education of judges and court support personnel. Staff support is provided to the Maryland Judicial Conference, the Conference of Circuit Judges, the Judicial Institute of Maryland, and the Select Committee on Gender Equality. In addition, the Administrative Office serves as secretariat to the Appellate and Trial Court Judicial Nominating Commissions. Personnel are also responsible for the complex operation of data processing systems, collection and analysis of statistics and other management information. The office also assists the Chief Judge in the assignment of active and former judges to cope with case backloads or address shortages of judicial personnel in critical locations.

What follows are some of the details pertaining to certain important activities of the Administrative Office of the Courts during the last twelve months.

Education and Training

The Administrative Office of the Courts provides staff support, recommendations on adult education methodology, library and media support, and direct instructional services to judges, circuit court clerks' offices, court-related agencies, and its own staff. During Fiscal Year 1993 education and training programs reached two hundred and seven judges, the twenty-four clerks of court and their chief deputies, one hundred and seventy-five supervisors and two hundred and six line personnel on the clerks' staffs, and forty-five supervisors and managers of court-related agencies and the AOC. Despite a severe reduction in the circuit court training budget and no growth in unit personnel, these numbers represent a significant increase in program activity over last fiscal year.

Judicial Institute of Maryland

The Board of Directors of the Judicial Institute of Maryland offered twenty-two continuing judicial education courses and a New Trial Judge Orientation in 1993. New programs in constitutional law, drug case management, domestic violence, environmental law, the chronic youthful offender, tort actions, rules of procedure, discovery, settlement, conspiracy, state and local government, and the Americans with Disabilities Act were added to the curriculum. Judicial education classes on marital property, driving while intoxicated, English legal history, the first amendment, employment law, and capital cases were revised and repeated in 1993.

Fifteen newly-appointed trial judges took active roles in their five-day New Trial Judge Orientation program. The experienced judge faculty was supplemented by legal and social service practitioners who engaged the new judge class in lectures and exercises structured to improve judicial practice. Judicial education staff worked closely with all Judicial Institute faculties to support their use of adult education methodology.

Circuit Court Clerk Training

The Court of Appeals approved personnel policies for use in the offices of the clerks of court. The practical application of these policies and their underlying management philosophies provided the material for the sec-

ond set of Leadership Training Workshops during the fall and winter of 1992. Every jurisdiction's supervisory and management staffs were represented over the course of five sessions planned by the Training Advisory Subcommittee. In October 1992, District Court trainers and domestic violence network personnel provided procedural training on the new domestic violence statute. All circuit court clerks' offices participated in this training in Annapolis.

Procedural training began in 1993 with six sessions throughout the State covering a judicial operations update and a land-records and licensing overview. Assistant Attorney General Julia Freit lectured and answered specific clerk questions and prepared an updated outline that was distributed to the classes. Future procedural training will be more comprehensive and provide jurisdictions with an opportunity during the sessions to share practice pointers with one another.

Clerks of court and their chief deputies met in Annapolis for the Second Management Training Workshop in June 1993. Topics included bench-clerk relationships, insuring commitment to a new or improved operational plan, employment laws, ADA implementation, rules and legislative updates, motivation, fiscal operations, setting performance measures, and creating a productive work environment.

AOC and Court-Related Agencies

Forty-five managers and supervisory personnel attended one of two, two-day workshops on performance management practices, employment laws, and the recently-adopted personnel policies. Personnel unit staff engaged the trainees in exercises from the Leadership Training Workshops structured to support good managerial practices. Instructors introduced trainees to the performance evaluation system soon to be implemented in these offices.

Education and Training Media

The interactive laser-disc program on confrontation skills is still under development. Financial support for this project comes from a State Justice Institute grant. An orientation video, also produced with SJI funding, will be distributed in October 1993 as part of an information packet for new employees of the clerks of court.

Education unit staff worked on a consultant basis with the Women Judges' Fund for Justice and the National Judicial College to produce a national videotape on effective teaching techniques for gender-related training. The video was premiered at the Second National Conference on Gender Equality and the Courts in Williamsburg, Virginia in March 1993 and will be used at two upcoming programs at the National Judicial College and the Annual Conference of the National Association of State Judicial Educators during the fall of 1993.

Additional media projects include a mediator training tape for the Prince George's County bench and a law office practice training video program on gender issues for the Women's Bar Association of Maryland. The Judicial Institute is also coordinating production of an in-house video on judicial ethics and a basic evidence law and procedures tape.

An updated *Educational Resource Guide* of all video, audio, and printed media available through the Judicial Institute library will be distributed to trial and appellate judges this fall.

The Select Committee on Gender Equality

The Select Committee on Gender Equality, a joint committee of the Maryland Judiciary and the Maryland State Bar Association, is chaired by Lynne A. Battaglia, Esq.

In October 1992, the Select Committee issued a report to describe the implementation of the recommendations cited in the 1989 report of the Maryland Special Joint Committee on Gender Bias in the Courts. Topics in the report include: education on gender equality issues; the complaint process; education in family law issues; judicial selection and the code of conduct; and the courtwatch project. Copies of the report were widely disseminated in Maryland and nationally. Additional copies are available by request through the Administrative Office of the Courts. Funding for the report was supplied by the Maryland State Bar Association.

The 20 members of the Committee serve on 14 subcommittees. The subcommittees are: Professionalism, Judges Benchbook, Reports, Complaints, Courtwatch, MICPEL, Domestic Violence, Legislation, Family Law, Judicial Nominating Commissions and Judicial Applications, Code of Judicial Conduct, Court Employees, Women in Law Schools, and Women in Law Firms. The full Committee met six times and the subcommittees also met frequently during the year.

The Hon. Rosalyn B. Bell, a member of the Committee, served as the chair of a national planning committee that organized, secured funding and delivered the Second National Conference

on Gender Fairness in the Courts held in Williamsburg, Virginia in March 1993. Each state and federal judicial circuit was invited to send two representatives to the Conference. Over 150 people attended.

Members of the Committee refined the second version of the videotape, "Sex, Laws and Videotape: Gender Bias in the Legal Profession." It is accompanied by a discussion guide and is an educational resource for legal employers. Several Committee members have been very active this year in the planning and delivery of MICPEL courses and the program at the Maryland State Bar Convention titled "You've Got To Be Carefully Taught: Your Law Firm's Sex Education in the 90's." An article on, "Model Policies Condemn Sexual Harassment by Legal Employers," written by member Pamela J. White Esq. appeared in the March/April 1993 issue of the *Maryland Bar Journal.*

Cooperative Reimbursement Agreement

The Cooperative Reimbursement Agreement or CRA provides for reimbursement by the federal government of Title IV-D child support services that are offered by the circuit court clerks' offices. Title IV-D child support cases are those cases filed by the state's attorney's office or special counsel appointed by the Attorney General. The CRA is a contract between the Administrative Office of the Courts and the Child Support Enforcement Administration at the Department of Human Resources.

The Fiscal Year 1993 contract was the first time that a CRA had been signed for the clerks' offices on State-wide basis. Previously, several counties and Baltimore City had entered their own contracts with the Child Support Enforcement Administration.

The federal government, working through the Child Support Enforcement Administration in Maryland, will reimburse the State's general fund for 66 percent of a circuit court clerk's salary for the time devoted to child support work. It will also reimburse 66 percent of the costs for supplies, postage, photocopies,

and other related items.

Employees of the circuit court clerks' offices have assisted in the monthly collection of child support caseload information and budgetary items for the monthly expenditure forms.

Judicial Information Systems

Judicial Information Systems (JIS) is responsible for the administration and operation of the Judicial Data Center (JDC) and all automated data systems for the Maryland Judiciary.

In Fiscal Year 1993, Montgomery County was added to the District Court criminal scanner barcode system. Implementation of this system allowed for automation of Commissioner functions, accounts receivable and adjudication information. With the addition of Montgomery County, the State-wide deployment of this system was completed.

The Bail Review phase of the District Court courtroom segment is scheduled to be installed and implemented in two (2) pilot counties, Howard and Baltimore County, in the first quarter of Fiscal Year 1994. This system will allow the District Court to record information electronically as events occur within the courtroom. Upon successful completion in those counties, State-wide deployment of Bail Review is scheduled to be completed by the end of December 1993. The remaining phases are scheduled for deployment during calendar year 1994.

A paternity and non-support automated system for the Eighth Circuit Court has progressed to the point where the majority of the programs have been written and are being tested by JIS and court personnel. The system will be used to track cases as they proceed through the various stages of adjudication. Implementation of this system is scheduled for the second quarter of Fiscal Year 1994.

A new automated juvenile system has been evaluated and is scheduled for implementation in the Eighth Circuit Court during Fiscal Year 1994.

As of the end of Fiscal Year 1993, the new Court Automated Indexing System (CAIS) for Land Records recording and indexing had been successfully deployed in fifteen (15) of the twenty (20) counties for which it was scheduled. The remaining five (5) jurisdictions will be implemented in the first quarter of Fiscal Year 1994. As a supplement to the current Land Records data, it is planned to capture and make available to the CAIS system data from past years. The intent is to make up to sixty (60) years of data available within the system.

A new PC based cash register system continues to be developed and is in the final programming stages. The system will provide each jurisdiction with a fully automated cash accounting system for all financial transactions that occur within the circuit courts. In addition, this system will capture and disburse the information necessary to interface with other financial systems such as accounts receivable and general ledger. A user walk-through was conducted with various user representatives from Harford County, which is the pilot county for this project. As a result of that walk-through, software changes are being made which will accommodate requests from the users.

In the fourth quarter of Fiscal Year 1993, JIS began converting their communications network to the Maryland State Backbone network, which is a State-wide communications network that allows the transmission of data throughout the State. This conversion will provide additional networking capability to JIS and its users while realizing a cost savings for the Judiciary. In addition, being a user of the State Backbone provides JIS with backup network facilities in the event of a communications network outage. It is anticipated that all network locations will be converted by the end of the first quarter of Fiscal Year 1994.

In June 1993, the JIS mainframe was upgraded from an IBM 3090-180J Central Processing Unit (CPU) to an ES 9021-500 CPU. In addition, a significant upgrade of Direct Access Storage Devices (DASD) was made. These upgrades were necessary in order to provide the additional processing power and storage requirements associated with the inclusion of past years data for Land Records indexing.

In April 1993, work began on converting over 150 programs to accept the new State-wide 12 digit tracking number that will be used by the Criminal Justice community within the State of Maryland. Use of this tracking number will allow defendants to be tracked from agency to agency as they make their way through the Criminal Justice system. It will also allow for more timely and accurate updating of criminal history records. This project was made possible by a grant from the Governor's Alcohol and Drug Abuse Commission which provides funds for Criminal Justice agencies who are committed to the improvement of data quality for criminal cases. It is anticipated that completion of this project will be forthcoming in mid 1994.

During Fiscal Year 1993, office automation continued to

propagate throughout the Judiciary. As a result, personal computers, with corresponding peripheral equipment, were installed in numerous court locations and are being used for a variety of applications. Examples of their use are word processing, spread sheets and electronic mail (E-Mail). In addition, many locations are now equipped with Local Area Network (LAN) technology and mainframe connections which allow for the sharing of data and other resources thereby reducing redundancy in the capturing and processing of data.

Circuit Court Management Services

The Circuit Court Management Services unit, composed of six assistant administrators, one management assistant, and two support staff, operates under the direct supervision of the Deputy State Court Administrator. The unit was formed to assist with the oversight of the circuit court clerk offices, pursuant to an electoral mandate which transferred responsibility for the management of these offices to the Judiciary, effective January 1, 1991.

Historically, the clerk offices operated as substantially independent units of State government and, consequently, procedural uniformity among jurisdictions did not exist. Workload and staffing disparities gradually evolved. These inequities have been recognized by both the General Assembly and the Legislative Auditor and, in accordance with their directives, the Administrative Office of the Courts has engaged the Circuit Court Management Services unit in an extensive examination of all clerk operations.

Several management audits were performed by Circuit Court Management Services in Fiscal Year 1993. Comprehensive studies of land records and licensing operations in the Clerks' Offices of the Circuit Courts for Anne Arundel, Baltimore, and Montgomery Counties and Baltimore City were conducted. Workflow, staffing allocations, floor space designs, and technology applications were addressed. A similar study currently is being conducted in the Clerk's Office of the Circuit Court for Prince George's County.

In the Clerk's Office of the Circuit Court for Baltimore City, an analysis of the internal control structure in the Trust Department was completed. Several recommendations to improve workflow were presented and a personal computer-based automated system was installed to access case information more efficiently. In the same jurisdiction, Juvenile Department staff were relocated to renovated office space. The Juvenile Department was provided with a new automated case management system. A conversion of over 30,000 juvenile case files from an alpha-based system to an open shelf design featuring color-coded folders filed in terminal digit sequence also was completed. Management audits of the civil, criminal, paternity, jury, juvenile, assignment, courtroom clerk, and administrative functions of the Clerk's Office were initiated in Fiscal Year 1993 as well.

Circuit Court Management Services introduced several procedural innovations to the clerk offices through pilot programs in Fiscal Year 1993. On December 1, 1992, a consolidated intake sheet for land instruments was implemented successfully in the Clerk's Office of the Circuit Court for Baltimore County. The intake

Somerset County Circuit Court

sheet combined the information needs of the Clerk's Office, the State Department of Assessments and Taxation, and the Baltimore County Office of Finance and eliminated the need for constituents to complete a separate form for each of these offices.

The Clerks' Offices of the Circuit Courts for Anne Arundel, Frederick, and Prince George's Counties served as pilot sites for a debit card copying system. This technology was used to convert copying functions in the Land Records Departments of these offices to a self-service operation. In May of 1993, a debit card system also was installed in the Clerk's Office of the Circuit Court for Charles County. Subsequent installations in the Clerks' Offices of the Circuit Courts for Baltimore City and Baltimore, Caroline, Carroll, Cecil, Howard, Kent, St. Mary's, and Wicomico Counties are planned for Fiscal Year 1994 as well.

The Clerks' Offices in the Circuit Courts for Charles and Worcester Counties were selected as pilot sites for a retrospective conversion of their land records to microfilm. Once these conversion projects are completed in Fiscal Year 1994, the Clerks' Offices will be able to operate their Land Record Departments using a more efficient and cost effective microfilm-based, rather paper-based, retrieval system.

In addition, Circuit Court Management Services staff, in collaboration with Judicial Information Systems, drafted a Request for Proposal for an optical imaging system. The Request for Proposal was developed to examine the feasibility of implementing optical imaging technology in a land records application. The proposed design is intended to promote efficient and improved access to land records maintained by the circuit court clerk offices. It is anticipated that the Request for Proposal will be disseminated to vendors in Fiscal Year 1994.

Open-shelf lateral filing systems were introduced to clerk offices in several jurisdictions during Fiscal Year 1993. Additional equipment was added in other jurisdictions which already had such systems. Projects to convert or augment existing filing systems were initiated in the Clerks' Offices of the Circuit Courts for Baltimore City and Baltimore, Cecil, Kent, Prince George's, Washington, and Wicomico Counties. These efforts will encompass over 400,000 case files State-wide upon completion in Fiscal Year 1994.

Staff from Circuit Court Management Services served on several judicial committees in Fiscal Year 1993. The Advisory Committee on Records Management, which is chaired and staffed by Circuit Court Management Services personnel, drafted a revised records retention schedule for the circuit court clerk offices. In Fiscal Year 1993, the unit also provided staff assistance to the Maryland Judicial Conference's Committee on Juvenile Law and the Ad Hoc Committee on the Americans with Disabilities Act.

The Advisory Committee on Court Costs and Clerk Fees was formed by Circuit Court Management Services to evaluate methods of standardizing fees and establishing uniform cost procedures in clerk offices throughout the State. The Committee's work culminated in the creation of a revised fee schedule, which became effective on January 1, 1993.

The Advisory Committee on Statutory Revision, which also is staffed by Circuit Court Management Services, successfully introduced legislation during the 1993 Session of the General Assembly on behalf of the circuit court clerk offices. As a result of the Committee's efforts, statutes requiring the clerk offices to maintain certain charter, public official bond, and returnable container mark records, as well as issue alcoholic beverages licenses, were eliminated.

In Fiscal Year 1993, Circuit Court Management Services published the *Annual Report of the Maryland Judiciary 1991-1992*. In addition, a public information brochure was designed for the circuit court clerk offices. During the legislative session, a bi-weekly newsletter was published for the clerk offices as well.

Fiscal Management and Procurement

The Fiscal Management Unit prepares and monitors the annual Maryland Judiciary budget, excluding the District Court of Maryland. This budget preparation and monitoring function includes the budgets for all 24 clerks of the circuit court. All accounts payable for the Judiciary are processed through this office, including all the clerks' offices. Accounting records for revenues and accounts payable are kept by the staff in cooperation with the General Accounting Department of the State Comptroller's Office. In addition, the Office prepares monthly reports showing budget balances and expenditures for distribution to the clerks' offices. The working fund is also the responsibility of the Fiscal Management staff. Records are maintained in order for the legislative auditor to perform audits on the fiscal activities of the Judiciary.

General supplies and equipment are purchased by this office.

Staff members also prepare and solicit competitive bids on equipment, furniture, and supplies. This activity now includes purchasing of all forms, equipment and other supplies for the clerks of the circuit courts, as well as bid preparation for large projects. In addition to handling this expanded purchasing activity, efforts are also being made to develop as much uniformity as possible among the various clerks' offices to effectuate possible cost savings. A further expansion to the purchasing function occurred in 1993 when responsibility for Judicial Information Systems purchasing was transferred to the Fiscal Management Unit.

An automated inventory control system was established in 1987 for all furniture and equipment used by the Maryland Judiciary. This system uses a bar code attached to all equipment and furniture. Inventory is completed with a scanning device which automatically counts the items, producing financial totals that are required by the State Comptroller's Office. Effective July 1, 1992 the clerks' offices were incorporated into this system. The Fiscal Management Unit, therefore, currently maintains the inventory for each clerk's office. To accomplish an inventory update, scanning equipment is sent to the clerk's office. They scan the furniture and equipment that has been bar coded and return the equipment to the Fiscal Management Unit. The new data provided by the scanner is then compared to the existing inventory list. Discrepancies are reported to the clerk's office and resolved before the inventory is certified as complete.

When the Fiscal Management Unit assumed responsibility for functions previously handled by the clerks' offices, numerous internal organizational changes were required. One of these was the addition of an internal auditing function. In this capacity, staff auditors visit the clerks' offices, performing internal audits, follow-up audits to the Legislative Auditors and other data-gathering/record-keeping activities.

The clerks' offices have historically collected funds which are held in reserve until the court orders disposition. The internal auditors, along with other fiscal unit employees, now monitor these special fund monies. Data collected through this monitoring function is reported to various executive agencies for use in fiscal planning. In addition, data is compiled for the Comptroller of the Treasury for inclusion in the *Annual Report*.

The Fiscal Management Unit also monitors and compiles monthly financial data for the Federal Child Support Administration Grant. This grant includes 23 counties and the AOC, making this the largest federal grant in the State. Due to the extensive services provided, Montgomery County operates under a separate grant. Responsibility for this program requires the Fiscal Management Unit to prepare 24 federal budgets, in addition to the budget prepared for each county. Summary invoices are prepared each quarter for submission to the Department of Human Resources for reimbursement by the federal government. These invoices are detailed compilations of salaries and hours for each employee participating in the program Statewide, as well as summaries of costs for supplies and other expenses.

Another program monitored by the Fiscal Management Unit is the Court Appointed Special Advocates (CASA) Program. Staff members oversee grants and monitor quarterly expenditure reports as well as prepare a year-end annual report of CASA State-wide activities for the Chief Judge of the Court of Appeals.

In addition, the Fiscal Management Unit is involved in developing and implementing an automated cash register system and an accounts receivable system for the offices of the clerks of the circuit courts. These programs are being prepared to help the clerks provide faster more accurate services for the public. The automated cash register system is nearing completion, with demonstrations of the software being held for each county and hardware scheduled to be delivered to two test counties in the near future.

Other responsibilities include distribution of payroll checks for all Judiciary personnel except District Court and circuit courts; maintaining lease agreements for all leased property; monitoring the safety and maintenance records of the Judiciary automobile fleet; and performing assignments as directed by the Chief Judge of the Court of Appeals.

Judicial Personnel Services

The Judicial Personnel Services unit provides support to the 24 circuit court clerks' offices State-wide, as well as the Administrative Office of the Courts and court-related agencies. The services provided include recruitment and selection assistance, compensation and benefits administration, payroll processing and leave accounting, legally required recordkeeping and reporting, employee relations guidance, and supervisory and management training.

The second phase of personnel policies were implemented in all 24 circuit court clerks' offices. Those policies became effective in January 1993, and covered topics such as performance management, equal employment opportunity, nepotism, grievance and appeals, and introductory employment period. Similar policies have been proposed for the Administrative Office of the Courts, Court of Appeals, Court of Special Appeals and court-related agencies.

As a result of the implementation of these policies, and the training provided in advance of their implementation, performance problems are being addressed through documented counseling sessions. Further, the number of employees not successfully completing the introductory employment period has increased due to supervisory accountability for their employees' job performance.

A formal performance evaluation program was implemented for circuit court clerks' office employees. In anticipation of this program, a sub-committee of the Personnel Advisory Committee developed general performance standards which have been disseminated to all circuit court clerks' office supervisors. The Personnel Advisory Committee, comprised of representative clerks of court, Personnel Services unit staff, and circuit court clerks' office supervisors, developed this program along with all the other personnel policies that have been implemented.

The compensation study of circuit court clerks' office employees is nearly completed. The goal of the study is to introduce pay equity between the 24 jurisdictions and to assure parity with other State agencies. On-site visits were conducted in 8 representative jurisdictions, positions were evaluated using a 7 factor weighted point-factor system, and class specifications were developed based upon the on-site visits and the review of 1,100 position questionnaires.

In anticipation of the Family and Medical Leave Act effective August 5, 1993, the Personnel Services unit developed initial implementation procedures to comply with the new law. An overview of the law was distributed to all managers and supervisors to be shared with their employees.

In an effort to prevent on-the-job injuries and to identify potential occupational health and safety risks and hazards, the Personnel Services staff participated in risk management training. Procedures have been developed to ensure the proper reporting and monitoring of employee injuries. Also, on-site training was provided to a group of employees in Judicial Information Systems focusing on the prevention of carpal tunnel syndrome.

Worcester County Circuit Court

Sentencing Guidelines

For most criminal cases originating in the Maryland circuit courts, guidelines are used to provide judges with information helpful in developing and revising sentencing guidelines. Sentencing guidelines are used to assist judges by providing recommended voluntary sentencing ranges with regards to specific offense and offender dynamics. These sentencing guidelines were developed and evaluated by

judges in consultation with representatives from other criminal justice, related government agencies, and the private bar. Under the direction of the Sentencing Guidelines Advisory Board, staff monitor the use of guidelines to ensure the completeness and accuracy of the data.

With respect to the use of the guidelines, training exists in several forms. All new circuit court judges receive an orientation on the functions and use of the guidelines. In addition, the Department provides users of the guidelines training at their request. An instruction video is available upon request to every jurisdiction.

Completed guidelines worksheets are forwarded to the Sentencing Guidelines staff in Annapolis. The data is then added to a main file for future analysis. Data derived from the worksheet is used to produce statistical reports on compliance rates, ascertain fluctuations in specific sentences, and determine sentencing patterns throughout the State.

During the past year, the Guidelines Revision Committee, convened by Judge Joseph H. H. Kaplan and chaired by Judge Dana M. Levitz, continued its study on possible revisions. The committee reviewed the ranges of compliance with the guideline offenses. It also is studying the effect of violation of probation on the overall compliance rates. The sentences imposed upon a violation of probation are being factored to determine the extent to which the compliance range might be affected.

Once the Committee completes its study, new guideline compliance ranges, as well as additional charges to be covered by sentencing guidelines, will be proposed. A revised manual also will be issued once the revised guidelines are approved.

The District Court of Maryland

When the Legislature adopted the interim budget for the District Court for the period May 5, 1971 to July 5, 1971, they provided that there should be a Chief Judge, Chief Clerk, Assistant Chief Clerk, and one secretary. Obviously, no thought was given to the fact that when the Court became fully operational on July 5, as a centrally administered and fully State-funded entity, it would be necessary to have as an adjunct to the Chief Judge's office the personnel necessary to prepare the payroll, purchase equipment, design and distribute forms, manage facilities, or collect and transmit to the general treasury millions and millions of dollars each year.

Additionally, neither the original budget nor the implementing legislation made any provision for the creation of a personnel office to do the work necessary for the employment of the 625 individuals who would comprise the Court's clerical and constabular work force effective July 5, 1971.

For the most part, in the Court's earliest years, the essential services described above were performed by personnel borrowed from or recruited from related agencies in the Executive branch of State government. But gradually, as the Court took shape, a fully functional and highly professional staff was assembled in the District Court headquarters in Annapolis. That staff, headed by the Chief Clerk, now consists of approximately seventy men and women who operate under the supervision of the Court's four Assistant Chief Clerks, the Chief Auditor, and the Coordinator of Commissioner Activity.

The Chief Clerk of the Court is a constitutional officer, appointed by the Chief Judge and serving at his pleasure under the provisions of Article IV, §41F of the Constitution. The Chief Clerk is responsible to the Chief Judge for the statewide administration and day-to-day clerical operations of the Court. Before his appointment on April 10, 1991, the present Chief Clerk, Edward L. Utz, formerly served as the Administrative Clerk of the Court in Harford County and as Assistant Chief Clerk for Administration. Mr. Utz succeeded the late Margaret Long Kostritsky, who served as Chief Clerk from May 5, 1971 until her sudden death on January 5, 1991.

The Court's fiscal operations have been supervised from the first days of the Court's existence by Assistant Chief Clerk Thomas H. Meushaw. Under Mr. Meushaw's direction twenty-five members of the headquarters' staff prepare and supervise the payroll, maintain general account ledgers, disperse monies to accounts payable, and account for the Court's revenues. Included in this operation is the Money Room portion of the Maryland Automated Traffic System, which receives millions of dollars each year from mail-in payments of motor vehicle citations.

The Court's personnel office is headed by Assistant Chief Clerk Carolyn J. Morris. Mrs. Morris heads a staff of eight individuals, and is responsible for the proper classification of all District Court personnel, administering and grading promotional examinations, handling employee leave and benefits, and employee discipline, including the supervision of the Court's grievance process. The personnel office is

also in charge of the Court's extensive in-service training programs.

All matters related to the purchase of equipment, the maintenance and storage of records, and preparing transcripts or audio cassettes of trials are under the supervision of Sandra E. Lally, Assistant Chief Clerk for Administration. Mrs. Lally and her staff of fourteen are also responsible for the compilation and distribution of statistics relating to the Court's operation, and she plays a vital role as liaison between the District Court and the Judicial Information Systems of the Administrative Office of the Courts, which supplies all of the Court's computer related services.

The responsibility for maintaining the thirty-five District courthouses that are utilized throughout the state is that of the Assistant Chief Clerk for Facilities, James L. Davis. Mr. Davis, working in close concert with the State Department of General Services, the administrative judges and the administrative clerks of the Court, makes certain that the Court's facilities are safe, clean, and fully operational in every respect. With a staff of six, he is also responsible for the operation of the Court's warehouse in Annapolis, the distribution of forms and equipment, telecommunications, and the courier service which operates throughout the state for the delivery and collection of essential materials.

Of equal rank with the Court's assistant chief clerks is the Chief Internal Auditor, Frederick C. Cox. Mr. Cox, with a staff of eight, makes bi-annual audits of each aspect of operations in the twelve districts and the headquarters office, and reports directly to the Chief Judge on all matters relating to the operation of those courts. Although the primary responsibility of this staff is to conduct fiscal and performance audits, they also perform a valuable function by making special investigations or undertaking such extraordinary projects as the Chief Judge might direct.

Matters relating to the more than 200 District Court commissioners who serve throughout Maryland are the responsibility of David W. Weissert, Coordinator of Commissioner Activity. Mr. Weissert, with a staff of two in the District Court building in Annapolis, works closely with the Commissioner Education Committee in organizing and presenting the annual commissioner education programs, maintaining and updating the District Court Commissioner's Manual and the charging language contained therein. He also works closely with the administrative judges and supervising commissioners on all problems related to commissioners, including monitoring the volume of commissioner activity, inquiring into complaints, and making recommendations concerning commissioner staffing.

Although the growth and size of the headquarters staff has been extraordinary, so too has been the growth of the Court. Now in its twenty third year, the Court has become a vital part of our governmental structure, in some way touching the lives of two million Marylanders annually. Despite the Court's high volume, it operates virtually free of backlogs, bringing to the people of Maryland the highest quality of justice in the least expensive and most expeditious manner. The success of the Court results in equal measure from the efforts of the judges of the Court, the marvelous employees who serve in the District, and the professional administrators on the headquarters staff.

Assignment of Judges

Article IV, §18(b) of the Maryland Constitution provides the Chief Judge with the authority to make temporary assignments of active judges to the appellate and trial courts. Also, pursuant to Article IV, §3A and §1-302 of the Courts Article, the Chief Judge, with approval of the Court of Appeals, recalls former judges to sit in courts throughout the State. Their use enhances the Judiciary's ability to cope with growing caseloads, extended illnesses, and judicial vacancies. It minimizes the need to assign full time judges, thus disrupting schedules and delaying case disposition.

Pursuant to the Maryland Rules, Circuit Administrative Judges assigned active judges within their circuits and exchanged judges between circuits upon designation by the Chief Judge of the Court of Appeals. Further by designating District Court judges as circuit court judges, vital assistance to these courts was provided in Fiscal Year 1993. This assistance consisted of 63 judge days. The Chief Judge of the District Court pursuant to constitutional authority, made assignments internal to that Court to address backlogs, unfilled vacancies and extended illnesses. In Fiscal Year 1993, these assignments totaled 487 judge days. At the appellate level, the use of available judicial manpower continued. The Court of Special Appeals caseload is being addressed by limitations on oral argument, assistance by a central professional staff, and a pre-hear-

ing settlement conference. The Chief Judge of the Court of Appeals exercised his authority by designating appellate and trial judges to sit in both appellate courts to hear specific cases. Finally, a number of judges of the Court of Special Appeals were designated to different circuit courts for various lengths of time to assist those courts in handling the workload.

The number of days that former judges sat in Fiscal Year 1993 remained consistent in comparison to Fiscal Year 1992. The Chief Judge recalled 17 former circuit court judges and 3 former appellate judges to serve in the circuit courts for approximately 558 judge days for the reasons given. In addition, 13 former District Court judges and 5 former circuit court judges were recalled to sit in that court totaling approximately 614 judge days. Four former appellate judges were recalled to assist both the Court of Appeals and the Court of Special Appeals for a total of 183.6 judge days combined.

Court-Related Units

Court-Related Units

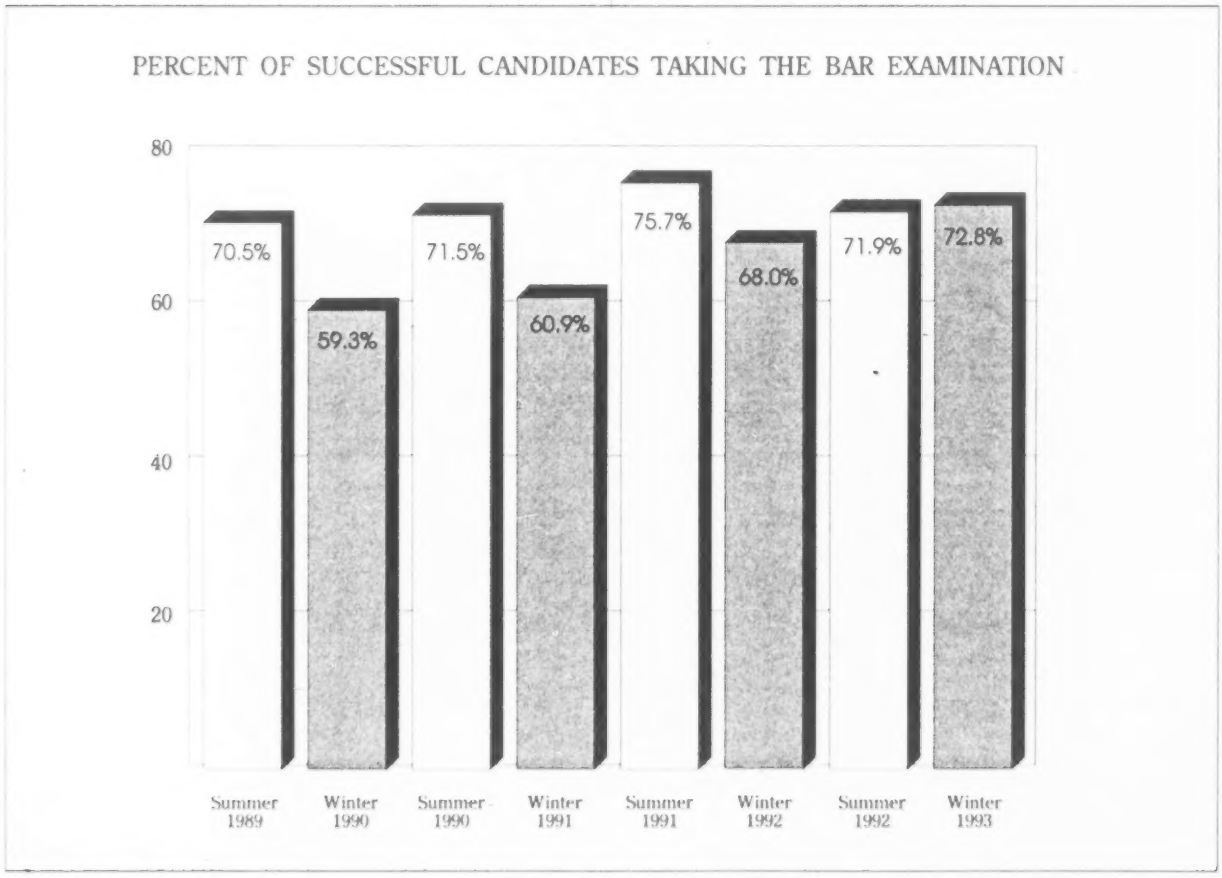
Board of Law Examiners

In Maryland, the various courts were originally authorized to examine persons seeking to be admitted to the practice of law. The examination of attorneys remained a function of the courts until 1898 when the State Board of Law Examiners was created (Chapter 139, Laws of 1898). The Board is presently composed of seven lawyers appointed by the Court of Appeals.

The Board and its staff administer bar examinations twice annually during the last weeks of February and July. Each is a two-day examination of not more than twelve hours nor less than nine hours of writing time.

Commencing with the summer 1972 examination and pursuant to rules adopted by the Court of Appeals, the Board adopted, as part of the overall examination, the Multistate Bar Examination. This is the nationally recognized law examination consisting of multiple-choice type questions and answers, prepared and graded under the direction of the National Conference of Bar Examiners. The MBE test now occupies the second day of the examination with the first day devoted to the traditional essay examination, prepared and graded by the Board. The MBE test is now used in fifty jurisdictions. The states not using the MBE are Indiana, Iowa, Louisiana, and Washington. It is a six-hour test that covers six subjects: contracts, criminal law, evidence, real property, torts and constitutional law.

Maryland does not participate in the administration of the



The State Board of Law Examiners

Charles H. Dorsey, Jr., Esquire; Chairman, Baltimore City Bar
William F. Abell, Jr., Esquire; Montgomery County Bar
John F. Mudd, Esquire; Charles County Bar
Robert H. Reinhart, Esquire; Allegany County Bar
Jonathan A. Azrael, Esquire; Baltimore County Bar and Baltimore City Bar
Pamela J. White, Esquire; Baltimore City Bar
Christopher B. Kehoe, Esquire; Talbot County Bar

Results of examination given by the State Board of Law Examiners during Fiscal Year 1993 are as follows:

Examination	Number of Candidates	Total Successful Candidates	Number of Candidates Taking First Time	Number of Candidates Passing First Time*
JULY 1992	1,283	922 (71.9%)	1,138	888 (78.0%)
Graduates				
University of Baltimore	232	172 (74.1%)	204	166 (81.4%)
University of Maryland	219	164 (74.9%)	193	157 (81.3%)
Out-of-State Law Schools	832	586 (70.4%)	741	565 (76.2%)
FEBRUARY 1993	588	428 (72.8%)	325	257 (79.1%)
Graduates				
University of Baltimore	116	88 (75.9%)	63	52 (82.5%)
University of Maryland	62	45 (72.6%)	22	18 (81.8%)
Out-of-State Law Schools	410	295 (72.0%)	240	187 (77.9%)

*Percentages are based upon the number of first-time applicants.

Multistate Professional Responsibility Examination (MPRE) prepared under the direction of the National Conference of Bar Examiners.

Pursuant to the Rules Governing Admission to the Bar, the subjects covered by the Board's test (essay examination) shall be within, but need not include, all of the following subject areas: agency, business associations, commercial transactions, constitutional law, contracts, criminal law and procedure, evidence, family law*, Maryland civil procedure, property, and torts. (*At its meeting on April 8, 1992, the State Board of Law Examiners adopted an amendment to Board Rule 3, "Examination—Subject Matter", pursuant to the Board's rule making authority granted by Rule 20 of the Court of Appeals Rules Governing Admission to the Bar of Maryland. This amendment added Family Law to the list of essay examination subjects enumerated in Board Rule 3 effective beginning with the July 1993 bar examination.) Single questions on the essay examinations may encompass more than one subject area and subjects are not specifically labeled on the examination paper.

Rule 11 of the Rules Governing Admission to the Bar of Maryland adopted by the Court of Appeals of Maryland June 28, 1990, effective August 1, 1990, requires all persons recommended for bar admission to complete a course on legal professionalism during the period between the announcement of the examination results and the scheduled bar admission ceremony. This course is administered by the Maryland State Bar Association, Inc., and was implemented beginning with the February 1992 examinations.

The results of the examinations given during Fiscal Year 1993 are as follows: a total of 1,283 applicants sat for the July 1992 examination with 922 (71.9 percent) obtaining a passing grade, while 588 sat for the February 1993 examination with 428 (72.8 percent) being successful.

Passing percentages for the two previous fiscal years are as follows: July 1990, 71.6 percent and February 1991, 60.9 percent; July 1991, 75.7 percent, February 1992, 68.0 percent.

In addition to administering two regular bar examinations per year, the Board also processes applications for admission filed under Rule 13 which governs out-of-state attorney applicants who must take and pass an attor-

ney examination. That examination is an essay test limited in scope and subject matter to the rules in Maryland which govern practice and procedure in civil and criminal cases and also the Rules of Professional Conduct. The test is of three hours' duration and is administered on the same day as the essay test for the regular bar examination.

A total of 104 applicants took the Attorney Examination administered in July 1992. Out of this number, 99 passed. This represents a passing rate of 95.2 percent.

In February 1993, 91 applicants took the examination. Out of this number, 73 passed. This represents a passing rate of 80.2 percent.

Rules Committee

Under Article IV, Section 18 (a) of the Maryland Constitution, the Court of Appeals is empowered to regulate and revise the practice and procedure in, and the judicial administration of, the courts of this State; and under Code, Courts Article, §13-301 the Court of Appeals may appoint "a standing committee of lawyers, judges, and other persons competent in judicial practice, procedure or administration" to assist the Court in the exercise of its rule-making power. The Standing Committee on Rules of Practice and Procedure, often referred to simply as the Rules Committee, was originally appointed in 1946 to succeed an ad hoc Committee on Rules of Practice and Procedure created in 1940. Its members meet regularly to consider proposed amendments and additions to the Maryland Rules of Procedure and submit recommendations for change to the Court of Appeals.

Completion of the comprehensive reorganization and revision of the Maryland Rules of Procedure continues to be the primary goal of the Rules Committee. Phase I of this project culminated with the adoption by the Court of Appeals of Titles 1, 2, 3, and 4 of the Maryland Rules of Procedure, which became effective July 1, 1984. Phase II of the project began with the adoption of Title 8 of the Maryland Rules, dealing with practice and procedure in the Court of Appeals and Court of Special Appeals, which became effective July 1, 1988, and Title 6, dealing with practice and procedure in the orphans' courts, which became effective January 1, 1991. The Committee is continuing its work on Phase II, which involves the remainder of the Maryland Rules, Chapters 900 through 1300.

During the past year the Rules Committee submitted to the Court of Appeals certain rules changes and additions considered necessary. The One Hundred Nineteenth Report contained proposed emergency amendments to Rules 1-203, 2-115, 3-115, 906, 1205, and 1224A. The amendments to Rules 1-203 and 1205 were proposed for conformity with a 1991 amendment to Code, Article 89, §28, which added Good Friday as one of the legal holidays on which the State government maintains operations. The amendments to Rules 2-115 and 3-115 were proposed to provide a prompt post-deprivation hearing on the issue of the plaintiff's probability of success in pre-judgment attachment proceedings, correcting a possible constitutional defect which had existed in these proceedings. The amendments to Rule 906 correct an obsolete reference to the Rules Governing Admission to the Bar and conform section (b) of the Rule to Code, Courts Article, §3-821 as amended by Chapter 631, Laws of 1992, establishing certain criteria for State-furnished representation in Child in Need of Assistance (CINA) cases. The amendments to Rule 1224A provide a procedure for authorization of videotape recordation of circuit court proceedings.

The Court of Appeals adopted the emergency changes proposed in the One Hundred Nineteenth Report by Order of July 16, 1992, effective on that date. That Order was published in the *Maryland Register*, Vol. 19, Issue 16 (August 7, 1992). Also adopted in the Order was an emergency amendment to Rule 8-522, requested by the Chief Judge of the Court of Special Appeals. The amendment to Rule 8-522 allows the Chief Judge to shorten the amount of time parties are allowed for oral argument before the Court, when necessary to enable the Court to dispose of its scheduled cases.

The One Hundred Twentieth Report, published in the *Maryland Register*, Vol. 19, Issue 15 (July 24, 1992) contained proposed amendments to Rules 4-345 and B7. The amendment to Rule 4-345 gives a trial judge who misspeaks when imposing a sentence a chance to correct an evident mistake, provided that the judge does so on the record before the defendant leaves the courtroom. The amendments to Rule B7 lengthen the time allowed an administrative agency for transmission of a record for appellate review from 30 to 60 days, and shorten the length of a permissible extension allowed the agency from 90 days to 60 days.

The Court of Appeals adopted the rules changes proposed in the One Hundred Twentieth Report by Order of October 5, 1992, with an effective date of January 1, 1993. That Order was published in the *Maryland Register*, Vol. 19,

19, Issue 22 (October 30, 1992).

The One Hundred Twenty-First Report, contained proposed emergency new Rule 1211A and proposed emergency amendments to Rules 6-209, 6-311, 6-404, 6-417, 6-501, W74 and 1228. New Rule 1211A, applicable to asbestos personal injury cases filed on or after December 1, 1992, establishes a procedure by which the Eighth Judicial Circuit (Baltimore City) may create by administrative order a special inactive docket for such cases. The Rule also permits other circuits to adopt the Eighth Circuit Order, to transfer cases to the Circuit Court for Baltimore City for placement on the inactive docket, and to establish procedures for deciding venue disputes. Rule 1211A also provides for the effect of Rules 2-507 and 2-327 on inactive docket cases. The amendments to Rules 6-209, 6-311, 6-417, and 6-501 were proposed for conformity with various sections of the Estates and Trusts Article of the Code, as amended by Chapter 226, Laws of 1992. Applicable to estates of decedents who died on or after October 1, 1992, this legislation reduced the time period for filing a claim against a decedent's estate from nine months to six months after the decedent's death and changed the time for filing the initial account to nine months after the date of appointment of the personal representative. The amendments to Rule 6-404 were proposed to add to the Information Report filed by a personal representative of a decedent's estate a reference to a "P.O.D. account" and appropriate cross-reference to take account of Code, Estates and Trusts Article, §1-401 and Code, Financial Institutions Article, §1-204 as enacted by Chapter 578, Laws of 1992. This legislation changed the common law relating to certain multiple party accounts, including "payable on death" ("P.O.D.") accounts.

The amendments to Rule W74 were proposed for conformity with Code, Real Property Article, §7-105 as amended by Chapter 625, Laws of 1992. This legislation made several changes

The Standing Committee on Rules of Practice and Procedure

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Hon. Joseph H. H. Kaplan
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James J. Lombardi, Esq.
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Anne C. Ogletree, Esq.
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Ralph S. Tyler, Esq.
Deputy Attorney General

Joseph F. Vallario, Jr.
State Delegate, Prince George's County

Una M. Perez, Esq., Reporter
Sherie B. Libber, Esq., Assistant Reporter

to the procedure for giving notice in foreclosure proceedings, especially as to notice to holders of subordinate interests. The most notable change was to make optional the former requirement that a holder of a subordinate interest record a "request for notice of sale" in order to be entitled to notice of the foreclosure sale.

The amendments to Rule 1228 were proposed to aid the Clients' Security Trust Fund in the orderly administration of the Fund. The principal change is the express requirement that attorneys promptly advise the Fund in writing of a change in home or business address.

The Court of Appeals adopted the emergency changes proposed in the One Hundred Twenty-First Report by Order of December 8, 1992, effective on that date, with Judge Eldridge dissenting from the adoption of new Rule 1211A. The Order adopting the 121st Report was published in the *Maryland Register*, Vol. 19, Issue 26 (December 23, 1992).

The One Hundred Twenty-Second Report, published in the *Maryland Register*, Vol. 19, Issue 26 (December 23, 1992), contained proposed amendments to Rules 8-207, 8-413, 8-501, 8-602, 8-605, and 8-607, proposed new Title 7, and conforming amendments to Rules 1-101, 3-602, 3-632, and 1-204.

The amendment to Rule 8-207 was proposed to fill a gap in the current Rule by accounting for the possibility of a cross-appeal in an expedited appeal. The amendment to Rule 8-605 was "housekeeping" in nature, conforming the Rule to actual practice regarding the number of copies of a motion for reconsideration or response the parties must file under certain circumstances.

The amendments to Rules 8-413, 8-501, 8-602, and 8-607 were generally directed at reducing the size of record extracts and at alleviating problems caused by both over-inclusion and under-inclusion of material in record extracts. The most significant innovations can be found in Rule 8-501, especially in new section (l), which permits parties to defer filing of the record extract until briefs are exchanged. Rule 8-501 has also been amended to reflect actual practice regarding sanctions for failure to file a timely or proper record extract — the appellate court will not ordinarily dismiss the appeal before giving the party or attorney an opportunity to rectify the situation.

Proposed new Title 7 is part of Phase II of the general revision of the Maryland Rules. Title 7 codifies revisions of existing Chapter 1300, Appeals from District Court; Chapter 1100, Subtitle B, Administrative Agencies - Appeal From; and Chapter 1100, Subtitle K, Certiorari. Certain conforming amendments were proposed to Rules 1-101, 3-602, 3-632, and 1-204.

Many of the rules governing District Court Appeals incorporate language from parallel Title 8 Rules. An important new provision is Rule 7-102, which tells practitioners and pro se litigants which appeals are on the record and which are de novo.

A major innovation in the proposed rules pertaining to appeals from administrative agency actions was to dispense with the two pieces of paper - the order for appeal and the petition - required under the Subtitle B Rules to perfect an appeal.

At its open meeting on March 8, 1993, the Court of Appeals made modifications to certain of the proposed Title 8 Rules and Rules contained in proposed Title 7. By Order of March 30, 1993 with an effective date of July 1, 1993, the Court rescinded Chapter 1100, Subtitles B and K, and Chapter 1300 of the Rules and adopted the rules changes proposed in the One Hundred Twenty-Second Report as modified by the Court. That Order was published in the *Maryland Register*, Vol. 20, Issue 8 (April 16, 1993).

The One Hundred Twenty-Third Report contained proposed emergency amendments to Rule 2-511. These amendments were proposed for conformity with a Maryland Constitutional amendment, effective December 1, 1992, allowing fewer than twelve, but at least six jurors in a civil case and new Code, Courts Article, §8-306, which sets the number of jurors in a civil action at six. The proposed amendments also provide that the parties, with court approval, may agree to take a verdict from fewer than six jurors if during the trial one or more jurors becomes unable to continue serving as a juror.

The Court of Appeals adopted the emergency changes proposed in the One Hundred Twenty-Third Report by Order of February 8, 1993, effective on that date. That Order was published in the *Maryland Register*, Vol. 20, Issue 5 (March 5, 1993).

The One Hundred Twenty-Fourth Report, published in the *Maryland Register*, Vol. 20, Issue 8 (April 16, 1993) contained a group of amendments which have become known as the "Management of Litigation" package. The package was developed to implement the recommendations of an Ad Hoc Committee on the Management of Litigation, formulation of which was a joint effort of the Rules Committee and the Maryland State Bar Association. The Ad Hoc Committee's Report recommended three basic propos-

als: (1) to encourage the circuit courts to become more actively involved in case management and to develop differentiated case management systems so that cases could be treated in accordance with their particular needs and complexity; (2) to put some reasonable limits on discovery and, in an effort to curtail the need for discretionary discovery, to require the exchange of basic "core" information early in litigation; and (3) to encourage the development of ADR resources and the referral of parties to those techniques.

The major changes proposed in the Management of Litigation package were:

(1) Rule 1-341 - The proposed amendments cast the Rule more as a corrective rule than a rule simply for reimbursement of expenses. Where a proceeding has been brought or defended in bad faith or without substantial justification, the corrective options are set forth in section (c) — a formal apology or reimbursement of reasonable expenses incurred in resisting the offending conduct, including a reasonable attorney's fee. A procedure is set forth in new section (b), requiring notice to the party or attorney and a hearing before any corrective action may be taken. Finally, section (d) prohibits the filing of a motion for relief under this Rule.

(2) Rule 2-403 - This proposed new Rule requires an initial disclosure, to the extent then known, of the names and addresses of non-expert witnesses having discoverable information that tends to support the party's position; documents and tangible things that tend to support the party's position; an itemization of economic damages; and the identity of any insurer and the limits of any relevant insurance policy. A proposed amendment to Rule 2-401 (b) generally precludes the obtaining of discovery until these disclosures have been made.

(3) Rules 2-411, 2-421, and 2-422 - The proposed amendments to these rules limit the number of depositions that may be taken, the number of interrogatories that may be served, and the number of requests for production of documents that may be served, respectively.

(4) Rule 2-401 - The proposed amendment to section (f) makes clear that the court may alter the discovery procedures in Title 2, Chapter 400 and that, subject to certain limitations, the parties may do so as well by written agreement.

(5) Rule 2-504 - The heart of the management of litigation proposal is a rewriting of Rule 2-504. The proposed rewritten rule requires a scheduling order in every civil action except to the extent that specific categories of cases may be exempted by the County Administrative Judge. The function of the scheduling of the order is described in section (b). Essentially, it is to put realistic time limits on various events occurring in the course of litigation so that the court can fix a fairly reliable trial date should the case require trial. The scheduling order may also direct the parties to pursue an available and appropriate form of alternative dispute resolution. A scheduling conference is provided for in sections (d) and (e). The conference may be conducted by telephone. The scheduling conference is not necessarily a substitute for a pretrial conference, which is provided for in sections (f) and (g).

Proposed in conjunction with the revision of Rule 2-504 is new section (b) of Rule 1211, specifically authorizing the County Administrative Judge, with the approval of the Chief Judge of the Court of Appeals, to institute a system of differentiated case management.

(6) Rule 2-507 - The proposed amendment to this Rule provides for dismissal of an action against any defendant over whom the court has not acquired jurisdiction at the expiration of 120 days from the issuance of original process.

Amendments to Rules 2-403 (Protective Orders), 2-404 (Perpetuation of Evidence), 2-432 (Motions Upon Failure to Provide Discovery), 2-433 (Sanctions), 2-510 (Subpoenas), and 3-510 (Subpoenas) were also proposed in order to renumber certain of these rules and correct internal references in light of proposed new Rule 2-403.

The 124th Report is under consideration by the Court of Appeals.

Maryland State Law Library

The objective of the Maryland State Law Library is to provide support for all the legal and general research activities of the Court of Appeals, Court of Special Appeals, and other court-related units within the judiciary. A full range of information services is also extended to every branch of State government and to citizens throughout Maryland.

Originally established by an act of the Legislature in 1827, the library, currently staffed by 10 full-time equivalents and two part-time professional librarians, is governed by a Library Committee whose powers include appointment of the director of the library as well as general rule-making authority.

With a collection close to 300,000 volumes, this facility offers researchers access to three

Courtroom - Somerset County Circuit Court

distinct and comprehensive libraries of law, general reference/government information and Maryland history and genealogy. Of special note are the library's holdings of state and federal government publications which add tremendous latitude to the scope of research materials found in most law libraries.

Collection development activities continued at a minimum due to the continued fiscal constraints experienced in State government. The most notable additions to the library's holdings were a multi-volume set of landmark *U.S. Supreme Court Records & Briefs* from 1789-1979, and the initiation of a subscription to *I.R.S. Private Letter Rulings* on CD Rom. The primary source for Maryland legislative history documentation, the Committee Bill Files on microfilm, continued to expand and now encompass 1976-1989. The nonprint segment of the library's information sources, including videocassettes, audiocassettes, CD's, and access to remote online information networks showed a significant increase over the past year. Many of the new automated sources come to the library gratis as a U.S. Government Printing Office depository library and a depository for State Justice Institute research products.

Perhaps the most notable new development in access to information is a well conceived and ambitious plan to electronically network all Maryland libraries over the next six years. The end result of the development of such an electronic information highway will be to significantly enhance the ability of the library's primary clientele, once the library has been fully automated, to efficiently access and retrieve any needed information for court /management decision-making. This plan named *Seymour*, is a cooperative effort of Maryland libraries and will create an information infrastructure that will be simple to use, and will provide access to local, state, national and worldwide electronic resources. The Director of the State Law Library serves on a Statewide implementation team which will make *Seymour* a reality.

On-line cataloging and reclassification of the entire collection continue to be a high priority effort. In all, some 3,192 titles have been processed on OCLC during Fiscal Year 1993.

Technical assistance was provided to three circuit court libraries: Carroll, Dorchester & Howard counties, in the further development of their library services. Consultations included collection development, space planning, and information on computer-assisted legal research systems and library staffing.

During the past year, the library continued to participate in RSVP (Retired Senior Volunteer Program) through Anne Arundel County. This program has provided the Library with a number of part-time volunteers, who have initiated and completed a number of important indexing and clerical projects.

A major effort addressing critical library space problems was successfully completed with the addition of compact shelving systems in three rooms in the basement of the Courts of Appeal Building. Installed in December, 1992, the new shelving units have solved the library's short term expansion needs.

Publications continued to be made available by the library include a guide to conducting legislative history research in

Maryland entitled *Ghosthunting: Finding Legislative Intent in Maryland, a Checklist of Sources.* Bibliographies or pathfinders that have been produced include *Sources of Basic Genealogical Research in the Maryland State Law Library: A Sampler; Sources of Maryland Domestic Relations Law*, (Rev. 1990); *Researching the Bill of Rights in the Maryland State Law Library*, (Rev. 1991); *D.W.I. In Maryland: Selected Sources*, (Rev. 1991); *Recognizing and Reading Legal Citations; and Breaking Barriers-Access to Main Street: Pathfinder on the Americans With Disabilities Act P.L. 101-336.* New pathfinders compiled by staff and a graduate school intern include guides on *Change of Name, Landlord-Tenant, Jury Verdict Awards, Wage and Hour Laws* and *Criminal Record Expungements.* The library also issued a revised *Guide to the Services of the Maryland State Law Library.*

Members of the staff continue to be active on the lecture circuit, addressing high school and college classes, as well as professional organizations on the basics of legal research techniques. Staff has appeared before genealogy societies to discuss the collections and services available from the library. Twenty-five guided tours were conducted by reference staff during the year for students and foreign dignitaries. The reference staff designed and coordinated the library's first, *Legal Research Teach-In.* Entitled, "Maryland Legal Research Teach-In", this activity was held during annual Law Day activities. Featured were hands on educational exercises for over 25 participants designed to increase knowledge of our State's primary sources of legal authority.

Located on the first floor of the Courts of Appeal Building, the Library is open to the public Monday, Wednesday, Friday, 8:30 a.m. - 4:30 p.m.; Tuesday and Thursday, 8:30 a.m. - 9:00 p.m.; and Saturday, 9:00 a.m. - 4:00 p.m.

Summary of Library Use Fiscal 1993	
Reference inquiries	29,500
Volumes circulated to patrons	3,900
Interlibrary loan requests filled	3,100
In-Person Visitors	35,700

Attorney Grievance Commission

The Attorney Grievance Commission was created by a rule of the Court of Appeals effective July 1, 1975. Its function is to supervise and administer the discipline and inactive status of Maryland lawyers. The Commission also has jurisdiction to receive complaints concerning attorneys from other states who engage in the practice of law in Maryland, and about whom ethical violations are alleged.

The Commission, under the BU Rules, receives notices from banking institutions of overdrafts of an attorney's trust account which are not cured within ten (10) days. Such accounts must be maintained with authorized financial institutions which enter into an agreement with the Commission to report overdrafts or dishonored instruments.

Bar Counsel, the principal executive officer of the disciplinary system, is empowered to issue subpoenas under Maryland Rule BV 4 c to compel the production of designated documents or other tangible things, with prior written approval of the chair or acting chair of the Commission. In addition, Bar Counsel, is charged with seeking injunctions, when appropriate, for those engaged in the unauthorized practice of law.

Rule BV 2 d provides for a disciplinary fund. It is a condition precedent to practice law in Maryland to pay an assessment set by order of the Court of Appeals. The current assessment is $65.00. The Commission's budget is approved by the Court of Appeals prior to each fiscal year (July 1 to June 30) and is public knowledge. Late fees are assessed for those attorneys who fail to timely pay yearly assessments which help defray the administrative costs involved in billing and maintenance of the Clients' Security Trust Fund list.

During Fiscal Year 1992/93, two (2) employees were added to Commission staff to maintain the Clients' Security Trust Fund list and issue the annual bills for the assessment due the Commission and the Fund.

The Commission is composed of eight (8) lawyers and two (2) non-lawyers appointed by the Court of Appeals for four (4) year terms. No member is eligible for re-appointment immediately following the completion of a full four (4) year term. The Chairman of the Commission, currently James J. Cromwell, Esquire of Montgomery County, is designated by the Court. Members of the Commission serve without compensation.

The Commission, subject to approval by the Court of Appeals, appoints an attorney to serve as Bar Counsel. The Commission supervises the activities of Bar Counsel and staff. The Commission also suggests any rule changes to the Court which it deems necessary to its duties.

Commission staff increased during Fiscal Year 1992/93. It presently includes, Bar Counsel, a Deputy Bar Counsel and six (6)

Assistant Bar Counsel, 6 investigators, an Office Manager, seven (7) legal secretaries, and the two (2) staff members who maintain records of the Clients' Security Trust Fund.

One Commission investigator is assigned to investigate claims filed with Maryland's Clients' Security Trust Fund.

The Commission meets monthly. It receives a series of reports from Bar Counsel and staff. The reports deal with each complaint pending in the system at each level. There is further review of the monthly income and expenditures for the prior month to ascertain whether line items are within the approved budget. The Commission's financial records are audited and a yearly report is filed with the Court of Appeals.

A grievance not screened out, or dismissed, is referred for a hearing before an Inquiry Panel. That panel consists of attorneys and lay members. The total Inquiry Committee for the State, all of whom are volunteers, is composed of two-thirds attorneys and one-third non-lawyers, each appointed for a three (3) year term and eligible for reappointment. The lawyer members are selected by local bar associations. Non-lawyer members are selected by the Commission. Maryland Rule BV 5 c permits the Commission to determine the number of Inquiry Committee members reasonably necessary to conduct its disciplinary investigations and hearings. On July 1, 1993 there were 304 attorneys appointed to the Inquiry Committee and 152 non-lawyers.

A Review Board, consisting of 15 attorneys and three (3) non-lawyers is also provided for in the BV Rules. Members of the Review Board serve three (3) year terms and are ineligible for reappointment. The Board of Governors of the Maryland State Bar Association selects the attorney members of the Review Board. The Commission selects the non-lawyer members from the State at large, after soliciting input from the Maryland State Bar Association and the general public in a manner deemed appropriate by the Commission. Judges are not permitted to serve as members of the Inquiry Committee or the Review Board. The Board reviews matters referred to it under the BV Rules by an Inquiry Panel. Except for designated criminal convictions, it is the Review Board which directs Bar Counsel to file public charges in the Court of Appeals against an attorney.

The Commission received a total of 1,542 matters classified

5 Year Summary of Disciplinary Action

	FY 89	FY 90	FY 91	FY 92	FY 93
Inquiries Received (No Misconduct)	1,260	1,334	1,424	1,433	1,542
Complaints Received (Prima Facia Misconduct Indicated)	295	336	341	426	493
Totals	**1,555**	**1,670**	**1,765**	**1,859**	**2,035**
Complaints Concluded	331	357	313	314	456
Disciplinary Action by No. of Attorneys:					
Disbarred	3	3	7	1	4
Disbarred by Consent	7	19	14	10	16
Suspension	11	19	9	17	16
Public Reprimand	2	4	1	1	2
Private Reprimands (by Review Board and Bar Counsel)	12	7	15	20	10
Dismissed by Court	0	4	1	1	0
Inactive Status	1	4	0	4	5
Petition for Reinstatement (Granted)	5	0	0	3	3
Petition for Reinstatement (Denied)	1	1	3	3	2
Resignations	0	1	0	0	0
Resigned with Prejudice, Without Right to be Readmitted	0	0	0	0	0
Total No. of Attorneys Disciplined	**42**	**62**	**50**	**60**	**58**

as inquiries in Fiscal Year 1992/93 compared with 1,433 in Fiscal Year 1991/92. Formal docketed complaints increased, once again, to a new high of 493 compared to 426 in Fiscal Year 1991/92. Thus, 2,035 grievances were received for Fiscal Year 1992/93. Pending complaints at the end of Fiscal Year 1992/93 totalled 541, an increase from 519 pending at the end of Fiscal Year 1991/92.

The Commission recognized during the year that an increasing number of complaints required additions to staff. The Court of Appeals authorized a staff increase of one (1) attorney, one (1) investigator and one (1) legal secretary, reflected in the total staff previously mentioned.

The number of lawyers disbarred, 20, compared with 11 last year. Suspensions by the Court of Appeals decreased by one (1), 16 in Fiscal Year 1992/93 compared with 17 in Fiscal Year 1991/92. There were two (2) public reprimands compared with one (1) in Fiscal Year 1991/92 and reprimands by the Review Board and Bar Counsel dropped from 20 to 10 this fiscal year. Five (5) attorneys were placed on inactive status, either by court order or by consent, compared to four (4) the previous fiscal year. Three (3) attorneys were reinstated to the bar and two (2) petitions for reinstatement were denied by the Court of Appeals.

The Commission publishes a more detailed annual report which is distributed to its volunteer members, to courts, libraries, other disciplinary agencies and others on request. That report, in addition to reflecting the material in this short report, discusses the many activities of Bar Counsel and staff, and provides statistics about the types of complaints received.

The Commission continues to deal with a number of attorneys who are addicted to alcohol or drugs, have mental illnesses or other medical or psychological problems. The Commission continues to provide financial support to the Lawyer Counseling program of the Maryland State Bar Association which is designed to aid in the detection, help and prevention of these problems.

The Commission maintains a toll-free number for incoming calls from within Maryland as a convenience to complainants and volunteers who serve in the system (800-492-1660).

Courtroom - Dorchester County Circuit Court

Clients' Security Trust Fund

The Clients' Security Trust Fund was established by an act of the Maryland Legislature in 1965 (Code, Article 10, Section 43). The statute empowers the Court of Appeals to provide by rule for the operation of the Fund and to require from each lawyer an annual assessment as a condition precedent to the practice of law in the State of Maryland. Rules of the Court of Appeals that are now in effect are set forth in Maryland Rule 1228.

The purpose of the Clients' Security Trust Fund is to maintain the integrity and protect the name of the legal profession. It reimburses clients for losses to the extent authorized by these rules and deemed proper and reasonable by the trustees. This includes losses caused by misappropriation of funds by members of the Maryland Bar acting either as attorneys or as fiduciaries (except to the extent to which they are bonded).

Seven trustees are appointed by the Court of Appeals from the Maryland Bar. One trustee is appointed from each of the first five Appellate Judicial Circuits and two from the Sixth Appellate Judicial Circuit. One additional lay trustee is appointed by the Court of Appeals from the State at large. Trustees serve on a staggered seven-year bases.

The Fund began its twenty-seventh year on July 1, 1992 with a balance of $1,962,112, as compared to a balance of $2,016,643 for July 1, 1991.

The Fund ended its twenty-seventh year on June 30, 1993 with a balance of $2,048,367, as compared to a balance of $1,962,112 for June 30, 1992.

During Fiscal Year 1993 the trustees met on five occasions and at their meeting of July 23, 1992, they elected the following members to serve as officers through the fiscal year ending June 30, 1993: Victor H. Laws, Esq., Chairman; Carlyle J. Lancaster, Esq., Vice Chairman; Vincent L. Gingerich, Esq., Secretary; and Isaac Hecht, Esq., Treasurer.

During the fiscal year, the trustees paid 51 claims totalling $395,215. There are 124 pending claims with a current liability exposure approximating $2,110,942. These claims are in the process of investigation.

During the fiscal year ending June 30, 1993, the fund derived the sum of $382,778 from assessments and had interest income in the amount of $134,091. On June 30, 1993 there were 22,702 lawyers subject to annual assessments. Of this number, 93 attorneys failed to pay and were decertified. In accordance with the Maryland Rules of Procedure, on May 12, 1992 the Court of Appeals entered its Order whereby the non-paying attorney's names were stricken from the list of practicing attorneys in the State of Maryland.

Judicial Conferences

Judicial Conferences

The Maryland Judicial Conference

The Maryland Judicial Conference was organized in 1945 by the Honorable Ogle Marbury, then Chief Judge of the Court of Appeals. It currently exists under provisions of Maryland Rule 1226, which directs it "to consider the status of judicial business in the various courts, to devise means for relieving congestion of dockets where it may be necessary, to consider improvements of practice and procedure in the courts, to consider and recommend legislation, and to exchange ideas with respect to the improvement of the administration of justice in Maryland and the judicial system in Maryland."

The Conference consists of judges of the Court of Appeals, the Court of Special Appeals, the circuit courts for the counties and Baltimore City, and the District Court of Maryland. The Conference meets annually in plenary session with the Chief Judge of the Court of Appeals as chair. The State Court Administrator serves as Executive Secretary.

Between annual sessions, Conference work is conducted by an Executive Committee and by a number of other committees covering various subjects relevant to the overall operation of the Judiciary. At present, the standing committees consist of the Civil Law Committee, the Criminal Law Committee, the Juvenile Law Committee, the Family and Domestic Relations Law Committee, the Child Support Enforcement Committee, the Mental Health, Alcoholism, and Addiction Committee, and the Public Awareness Committee. These committees are established by the Executive Committee in consultation with the Chief Judge. The Administrative Office of the Courts provides staff support to each Conference committee.

The Executive Committee

The Executive Committee consists of 17 judges elected by their peers from all court levels in the State. The Chief Judge of the Court of Appeals, Chair of the Conference of Circuit Judges, and the Chief Judge of the District Court serve as ex-officio nonvoting members. The Committee elects its own chair and vice-chair. Its major duties are to perform the functions of the Conference between plenary sessions and to submit recommendations for the improvement of the administration of justice in Maryland to the Chief Judge of the Court of Appeals, the Court of Appeals, and to the full Conference as appropriate. The Executive Committee may also submit recommendations to the Governor, the General Assembly, or both of them. These recommendations are transmitted through the Chief Judge of the Court of Appeals and are forwarded to the Governor or General Assembly, or both, with any comments or additional recommendations deemed appropriate by the Chief Judge of the Court. During the annual legislative session, the Executive Committee appoints a Legislative Subcommittee to review relevant legislation. This Subcommittee helps the Executive Committee formulate a Judiciary position on important legislative matters.

At its first meeting in July 1992, the Executive Committee elected the Honorable Theresa A. Nolan, Associate Judge of the District Court for Prince George's County, as its chair, and the Honorable Andre M. Davis, Associate Judge of the Circuit Court for Baltimore City, as its vice-chair.

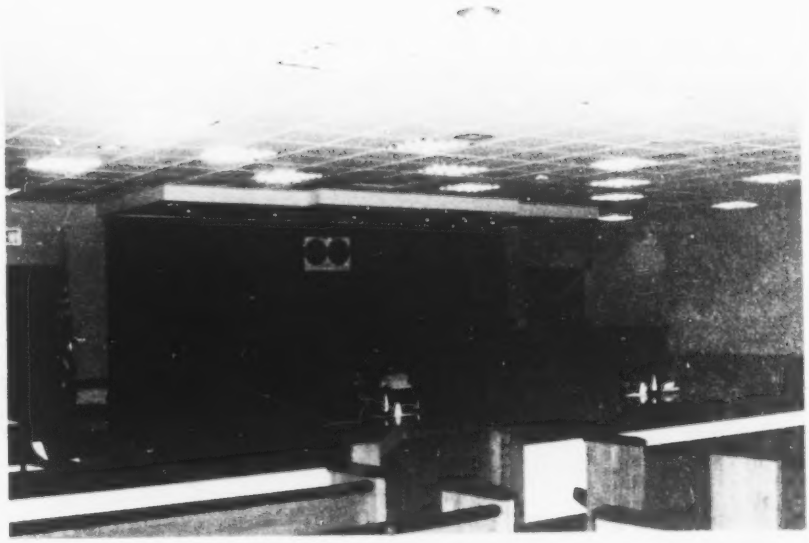
During the past year, the Executive Committee met approximately monthly except during the summer. Over the course of the year, the Committee reviewed the work of the various committees and also considered certain issues on its own volition. Some matters received Committee attention and were subsequently referred to the General Assembly for action.

1993 Meeting of the Maryland Judicial Conference

Due to severe fiscal and other constraints faced by the State of Maryland this year, the Judiciary was forced to cancel the annual Judicial Conference for lack of funding. Fortunately, judges at the circuit court and District Court level were able to conduct separate meetings to discuss pressing judicial business relevant to their individual courts.

Americans with Disabilities Act

The Americans with Disabilities Act of 1990 (ADA) proscribes discrimination against individuals with disabilities across a



Courtroom - Wicomico County Circuit Court

broad spectrum of activities, including the provision of governmental services and governmental employment. To facilitate compliance of the Judicial Branch with the ADA, the Maryland Judicial Conference's Executive Committee authorized the creation of an Ad Hoc Committee (ADA Committee), charged with identifying areas of potential concern in the Judicial Branch, with recommending priorities with respect to addressing problems, and with recommending possible solutions to the problems.

The ADA Committee is chaired by Judge Robert L. Karwacki of the Court of Appeals and includes: Judge Joseph P. McCurdy, Jr., of the Circuit Court for Baltimore City; Judge Gerard F. Devlin of the District Court 5th District; Melvin Mintz, Baltimore County Councilman, representing the Maryland Association of Counties; Allan B. Blumberg, Esq., Counsel for the Department of General Services; David R. Durfee, Jr., Esq., Assistant Attorney General assigned to the Department of Personnel; Jonathan Magruder, Staff Associate with the Maryland Municipal League; Carolyn Morris, Assistant Chief Clerk of the District Court, Personnel; Joseph K. Pokempner, Esq., Whiteford, Taylor & Preston; Sally W. Rankin, Director of Personnel, Administrative Office of the Courts; Edward L. Utz, Chief Clerk of the District Court; and Marian Schooling-Vessels, Executive Director, Governor's Committee on Employment of People with Disabilities.

During the past year, the ADA Committee has continued to seek advice from individuals with disabilities and representatives of those individuals. Professor Stanley S. Herr, Associate Professor of Law at the University of Maryland School of Law, and Cristine Boswell Marchand, Executive Director of the ARC (formerly the Association for Retarded Citizens of Maryland) advised the ADA Committee on barriers within the Judicial system for individuals with mental retardation and on other mental health issues. Also, collaboration with the Labor Law Section of the Maryland State Bar Association resulted in the mailing, with The Bar Journal, of a questionnaire about difficulties encountered, directly or indirectly by members of the Bar, in access to services of the Judicial Branch. The ADA Committee also met with the Circuit and County administrators to hear their concerns about implementation of the ADA and current efforts in their jurisdictions.

The ADA Committee also reviewed the on-going implementation of the recommendations made in its April 1992 Interim Report and endorsed by the Executive Committee. On behalf of the ADA Committee, the Chairman attended several meetings to apprise the Executive Committee of the work of the ADA Committee.

Pursuant to Maryland Constitution, Article IV, §§ 10(a)(2) and 18, the Court of Appeals adopted policies governing the operation of the offices of the clerks of the circuit courts. These policies include procedures for the resolution of complaints about the Judicial Branch under Titles I and II of the ADA. Comparable procedures were instituted as part of personnel policies for other units within the Judicial Branch, other than the District Court, and were promulgated formally pursuant to an Administrative Order of the Chief Judge of the Court of Appeals. Procedures for the District Court also were instituted.

Forms for requesting accommodations and reporting complaints were developed for the Court of Appeals, the Court of Special Appeals, the circuit courts, the District Court, and various administrative units in the Judicial Branch and have

been disseminated. Various court documents include a request for advance notice as to the need for an accommodation.

The federally mandated survey of facilities was done either by the entity with direct control over a facility, such as a county, or the ADA Coordinator for the Judicial Branch. The ADA Committee approved a set of guidelines, outlining priorities with respect to removal of physical barriers to Judiciary services and noting acceptable and unacceptable alternatives pending such removal. Surveys of services also were done.

The Judicial Institute has scheduled, for October 1993, a program for judges on how the ADA affects the Judicial Branch. ADA coordinators for the Judicial Branch, clerks of the circuit courts, their deputies, and approximately 170 of their supervisors and managers, and personnel of the District Court have participated in various training sessions conducted by the Governor's Office for Individuals with Disabilities, the Administrative Office of the Courts, or the District Court Personnel Office. Managers at the Administrative Office of the Courts and at various other court-related agencies also had training. Training for 1,000 additional District Court employees is expected to be completed by late September 1993. Efforts continue to ensure that all personnel of the Judicial Branch are aware of their rights and duties under the ADA. The Administrative Office of the Courts also has developed a Resource Guide, which contains names, addresses, and telephone numbers of various organizations that may be able to provide information about various disabilities.

On the recommendation of the ADA Committee, the personal data questionnaire, required to be completed by all judicial applicants, was modified to delete medical questions. The ADA Committee also urged the State Board of Law Examiners to obtain legal and medical advice on the relevance of the medical information solicited on 2 forms used for Bar admission to legitimate licensing concerns.

The Interim Report had identified interpreter issues as an important area of concern and, accordingly, the Administrative Office of the Courts (AOC) reviewed the current statutes and surveyed practices on the use of interpreters in courts. By letter of advice from the Office of the Attorney General, all judges were apprised that the ADA bars imposition of a surcharge on parties for accommodations such as interpreters.

The names of the various ADA Coordinators within the Judicial Branch appear in the Appendix to this report. Posters that state the policy of the State to comply with the ADA and that allot space for pertinent information about an ADA coordinator for a particular agency were distributed to each of the ADA coordinators and to units within the Judiciary, with suggestions as to posting.

Conference of Circuit Judges

The Conference of Circuit Judges makes recommendations on the administration of the circuit courts pursuant to Maryland Rule 1207. Its sixteen members include the eight Circuit Administrative Judges and one judge elected from each of the eight circuits for a two-year term. The chair also is elected by the Conference membership for a two-year term. In Fiscal Year 1993, the Conference met four times and held two State-wide meetings with all circuit court judges. The following highlights some of the important matters considered by the Conference.

1. Guidelines for Medical Intervention in Adult Guardianship Cases.

The Conference expressed serious concern about the lack of guidelines for judges in adult guardianship cases when petitions are filed for medical intervention to perform a specific medical procedure or remove a life-support system. The Conference formed a subcommittee to develop such guidelines. After extensive deliberations, the subcommittee produced its report which contributed to the Health Care Decision Act of 1993.

2. Endorsed Uniform Health-General Forms for Use Statewide.

The State Court Administrator requested the Conference of Circuit Judges consider adopting a uniform psychological evaluation form in the circuit courts. The request was prompted by a problem with judges improperly ordering evaluations, i.e., evaluation order absent a plea of not criminally responsible. The Conference, in conjunction with the Committee on Mental Health, Alcoholism and Addiction and the District Court, drafted a form to be used State-wide throughout the circuit courts.

A subcommittee was formed to consider this, as well as other proposed forms, including the Hospital Warrant which replaces the body attachment as a result of amendments to the Health-General Article in 1992.

3. Notification of Drug Testing Results

The Conference is currently considering the Division of Correction's field operations policies

which restrict the number of urinalysis tests available per month in each county, as well as the reporting criteria of positive tests results which may withhold court notification. The Conference expressed the concern that without assurance that urinalysis will be a timely and effective monitor of a defendant's behavior, judges may move to incarcerate defendants as opposed to placing them on probation with special conditions.

4. State-wide Meetings

The Conference held a one-day State-wide meeting in Crownsville in October 1992, to present a report prepared by the special Ad Hoc Committee to Implement Maryland's New Domestic Violence Law. The Committee's chair, Hon. Mary Ellen T. Rinehardt, and her committee reviewed the new law and held a question and answer period for circuit court judges.

Additionally, a two-day State-wide meeting was held in Solomons Island to review legislation passed in 1993 and recent and pending changes in the Rules of Procedure.

Administrative Judges Committee of the District Court

The Administrative Judges Committee of the District Court, unlike its counterpart, the Conference of Circuit Judges, was not established by rule of the Court of Appeals, but arose almost inherently from the constitutional and statutory provisions which created the District Court in 1971.

Under Article IV of the Maryland Constitution and the implementing legislation in the Courts and Judicial Proceedings Article, the District Court is a single, statewide entity. The Chief Judge is responsible for the maintenance, administration, and operation of the District Court at all of its locations throughout the State, with constitutional accountability to the Chief Judge of the Court of Appeals.. The administrative judges in each of the District Court's twelve districts are in turn responsible to the Court's Chief Judge for the administration, operation, and maintenance of the District Court in their respective districts.

To enable these thirteen constitutional administrators to speak with one voice, the Chief Judge formed the Administrative Judges Committee when the Court began in 1971. In 1978, when Maryland Rule 1207 was amended to provide for election of some of the members of the Conference of Circuit Judges, he provided for the biannual election of five trial judges of the District Court to serve on the Committee with the District Court's twelve administrative judges. The Chief Judge, ex-officio, serves as Chairman of this Committee.

At its quarterly meetings during Fiscal Year 1993, the Committee acted on more than half a hundred items. Among the more significant were:

(1) Increased the preset fine (or penalty deposit) for all violations of the Transportation Article relating to speeding;

(2) Established fines for new violations of the Transportation Article;

(3) Developed guidelines for witness notification when a defendant elects to plead "guilty with an explanation" and modified existing waiver of trial procedures;

(4) Conducted a survey of problems that might exist for handicapped individuals in gaining access to our courts;

(5) Reexamined the disparity in probation-before-judgment dispositions in motor vehicle cases;

(6) Reviewed changes to the Domestic Violence Law and made certain recommendations concerning that law;

(7) Studied the ADA requirements pertaining to the availability of interpreters for the deaf when appearing before District Court commissioners;

(8) Rescinded th. policy prohibiting advanced public notice of judicial assignments;

(9) Reviewed with the Department of Health and Mental Hygiene the depth and quality of examinations for competence to stand trial, and made suggestions relating to the quality of those examinations;

(10) Established uniform policy in cases where two parties are being sued and only one prays a jury trial;

(11) Reexamined the Court's policy relating to attorney conflict cases;

(12) Reviewed procedures and made recommendations concerning various proposed Rule changes;

(13) Studied the various circumstances relating to whether the conditions of release established by a commissioner are vitiated by subsequent failure to appear, arrest and re-release;

(14) Reviewed and made recommendations to the Executive Committee of the Maryland Judicial Conference and to the General Assembly on various bills affecting the operation and administration of the District Court.

Appointment, Discipline, and Removal of Judges

Appointment, Discipline, and Removal of Judges

Under the Maryland Constitution, when a vacancy in a judicial office occurs, or when a new judgeship is created, the Governor is entitled to appoint an individual to fill the office.

The Constitution also provides certain basic qualifications for judicial office. These include: Maryland citizenship; residency in Maryland for at least five years and in the appropriate circuit, district or county, for at least six months; registration as a qualified voter; admission to practice law in Maryland; and the minimum age of 30. In addition, a judicial appointee must be selected from those lawyers "who are most distinguished for integrity, wisdom, and sound legal knowledge."

Although the Constitution sets forth these basic qualifications, it provides the Governor with no guidance as to how to exercise this discretion in making judicial appointments. Maryland governors have themselves filled that gap, however, by establishing Judicial Nominating Commissions.

Judicial Nominating Commissions

Before 1971, Maryland governors exercised their powers to appoint judges subject only to such advice as a particular governor might wish to obtain from bar associations, legislators, lawyers, influential politicians, or others. Because of dissatisfaction with this process, as well as concern with other aspects of judicial selection and retention procedures in Maryland, the Maryland State Bar Association for many years pressed for the adoption of some form of what is generally known as "merit selection" procedures.

In 1970, these efforts bore fruit when former Governor Marvin Mandel, by Executive Order, established a State-wide Judicial Nominating Commission to propose nominees for appointment to the appellate courts, and eight regional Trial Court Nominating Commissions to perform the same function with respect to trial court vacancies. These nine commissions began operations in 1971. However, in 1988, the Judicial Nominating Commissions were restructured to allow each county with a population of 100,000 or more to have its own Trial Courts Nominating Commission. That restructuring resulted in fourteen trial court commissions, known as Commission Districts, as well as an Appellate Judicial Nominating Commission. Since that time, a fifteenth Commission District has been added in Charles County as a result of increased population in that jurisdiction. Each judicial vacancy filled pursuant to the Governor's appointing power is filled from a list of nominees submitted by a Nominating Commission.

As presently structured, under an Executive Order issued by Governor William Donald Schaefer, effective February 1, 1991, the fifteen trial courts commissions consist of six lawyer members elected by other lawyers within designated geographical areas; six lay members appointed by the Governor; and a chairperson, who may be either a lawyer or a lay person, appointed by the Governor. The Appellate Judicial Nominating Commission is comprised of seven lawyer members and seven lay members, representing the six appellate circuits and two at-large positions, and a chairperson. The lawyer members of the appellate commission are also elected, while the Governor appoints the lay members and the chairperson. The Administrative Office of the Courts acts as a secretariat to all commissions and provides them with staff and logistical support.

When a judicial vacancy occurs or is about to occur, the Administrative Office of the Courts notifies the appropriate commission and places an announcement in *The Daily Record*. Notice of the vacancy is also sent to the Maryland State Bar Association and the local bar association.

The Commission then meets and considers the applications and other relevant information, such as recommendations from bar associations or individual citizens. Each candidate is interviewed either by the full Commission or by the Commission panels. After discussion of the candidates, the Commission prepares a list of those it deems to be "legally and professionally most fully qualified" for judicial office. This list, which is forwarded to the Governor, is prepared by secret written ballot. No Commission may vote unless at least 10 of its 13 members are present. An applicant may be included on the list if he or she obtains a majority of votes of the Commission members present at a voting session. Under the Executive Order, a

Judicial Nominating Commission Statistics
Judicial Vacancies and Nominees from Fiscal 1985 to Fiscal 1993

		Court of Appeals	Court of Special Appeals	Circuit Courts	District Court	TOTAL
FY 1985	Vacancies	1	1	9	7	18[a]
	Applicants	3	5	79	122	209
	Nominees	3	3	24	34	64
FY 1986	Vacancies	0	1	12	11	24
	Applicants	0	5	69	125	199
	Nominees	0	4	22	34	60
FY 1987	Vacancies	2	1	5	7	15[c]
	Applicants	11	6	31	102	150
	Nominees	7	4	13	19[b]	43
FY 1988	Vacancies	0	1	7	6	14[d]
	Applicants	0	15	57	60	132
	Nominees	0	6	20	24	50
FY 1989	Vacancies	0	0	13	14	27[e]
	Applicants	0	0	101	172	273
	Nominees	0	0	36	48	84
FY 1990	Vacancies	1	1	12	9	23[f]
	Applicants	6	16	83	99	204
	Nominees	0	5	43	28	76
FY 1991	Vacancies	2	3	10	16	31[g]
	Applicants	18	33	53	197	301
	Nominees	7	12	21	59	99
FY 1992	Vacancies	0	0	10	5	15[h]
	Applicants	0	0	48	49	97
	Nominees	0	0	27	15	42
FY 1993	Vacancies	0	1	5	5	11[i]
	Applicants	0	19	48	77	144
	Nominees	0	6	9	23	38

NOTE: Because of the pooling arrangements available under the Executive Order since Fiscal Year 1981, the number of applicants and nominees may be somewhat understated. The numbers given in the chart do not include individuals whose names were available for consideration by the Governor pursuant to the pooling arrangement.

[a] Two vacancies that occurred in FY 85 were not filled until FY 86.
[b] A meeting for one District Court vacancy was not held until FY 88.
[c] Three vacancies that occurred in FY 87 were not filled until FY 88.
[d] One vacancy that occurred in FY 88 was not filled until FY 89.
[e] One vacancy that occurred in FY 89 was not filled until FY 90.
[f] Four vacancies that occurred in FY 90 were not filled until FY 91. A meeting for one District vacancy was not held until FY 91
[g] Four vacancies that occurred in FY 91 were not filled until FY 92. Meetings for three vacancies that occurred in FY 91 were held in FY 92.
[h] At the close of FY 92, a meeting had not been held for one District and four circuit court vacancies. Several vacancies were still awaiting appointments.
[i] At the close of the fiscal year, a meeting had not been held for one circuit court and one District Court vacancy. Several vacancies were still awaiting appointments.

Judicial Nominating Commissions as of August 25, 1993

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pooling system is used. Under this system, persons nominated for appointment to a particular court level are automatically submitted again to the Governor, along with any additional nominees, for new vacancies on that particular court that occur within 12 months of the date of initial nomination. The Governor is bound by the Executive Order to make an appointment from either the Commission list or the list of nominees that are in the pool.

During Fiscal Year 1993, members of the various nominating commissions considered applicants to fill eleven judicial vacancies which resulted from retirements and elevation of sitting judges to other court levels. Included in the eleven vacancies was one vacancy on the Court of Special Appeals and five vacancies each in the circuit courts and the District Court. The Fiscal Year 1993 vacancies represent a 26.7 percent decrease from the previous year when fifteen judicial vacancies occurred. Comparative statistics with respect to vacancies and the number of applicants and nominees are reflected on the accompanying table. In reviewing the number of applicants and nominees, it should be noted that the table, which shows only new applicants and nominees, does not reflect the pooling arrangements outlined above.

Appointments have been made to four of the circuit court vacancies and three of the District Court vacancies which occurred during Fiscal Year 1993. The vacancy in the Court of Special Appeals was also filled during the year. A circuit court judge was appointed to fill that particular vacancy. The four appointees to the circuit courts included two private attorneys, one judicial Master and one District Court judge. The three District Court vacancies were filled by one private attorney and two attorneys from the public sector. The remaining vacancies that occurred in Fiscal Year 1993 were still awaiting appointments.

Removal and Discipline of Judges

Judges of the appellate courts run periodically in noncompetitive elections. This process is often referred to as "running on their record." A judge who does not receive a majority of the votes cast in such an election is removed from office. Judges from the circuit courts of the counties and Baltimore City must run periodically in regular contested elections. If a judge is challenged in such an election and the challenger wins, the judge is removed from office. District Court judges do not participate in elections, but face Senate reconfirmation every ten years. A District Court judge who is not reconfirmed by the Senate is removed from office. In addition, there are from six to seven other methods that may be employed to remove a judge from office:

1. The Governor may remove a judge "on conviction in a court of law for incompetency, willful neglect of duty, misbehavior in office, or any other crime...."
2. The Governor may remove a judge on the "address of the General Assembly" if two-thirds of each House concur in the address, and if the accused has been notified of the charges against him and has had an opportunity to make his defense.
3. The General Assembly may remove a judge by two-thirds vote of each House, and with the Governor's concurrence, by reason of "physical or mental infirmity...."
4. The General Assembly may remove a judge through the process of impeachment.
5. The Court of Appeals may remove a judge upon recommendation of the Commission on Judicial Disabilities.
6. Upon conviction of receiving a bribe in order to influence a judge in the performance of official duties, the judge is "forever ... disqualified for holding any office of trust or profit in this State" and thus presumably removed from office.
7. Article XV, § 2 of the Constitution, adopted in 1974, may provide another method to remove elected judges. It provides for automatic suspension of an "elected official of the State" who is convicted or enters a nolo plea for a crime which is a felony or which is a misdemeanor related to his public duties and involves moral turpitude. If the conviction becomes final, the officer is automatically removed from office.

Despite the availability of other methods, only the fifth procedure has actually been used within recent memory. The use of this method involves an analysis and recommendation by the Commission on Judicial Disabilities. Since this Commission also has the power to recommend discipline less severe than removal, it is useful to examine that body.

Commission on Judicial Disabilities

The Commission on Judicial Disabilities was established by constitutional amendment in 1966 and strengthened in 1970; its powers were further clarified in a 1974 constitutional amendment. The Commission is empowered to investigate complaints, conduct hearings, or take informal action as it deems necessary,

provided that the judge involved has been properly notified. Its operating procedures are as follows: the Commission conducts a preliminary investigation to determine whether to initiate formal proceedings, after which a hearing may be held regarding the judge's alleged misconduct or disability. If, as a result of these hearings, the Commission, by a majority vote, decides that a judge should be retired, removed, censured or publicly reprimanded, it recommends that course of action to the Court of Appeals. The Court of Appeals may order a more severe discipline of the judge than that which the Commission recommended. In addition, the Commission has the power in limited situations to issue a private reprimand or merely a warning.

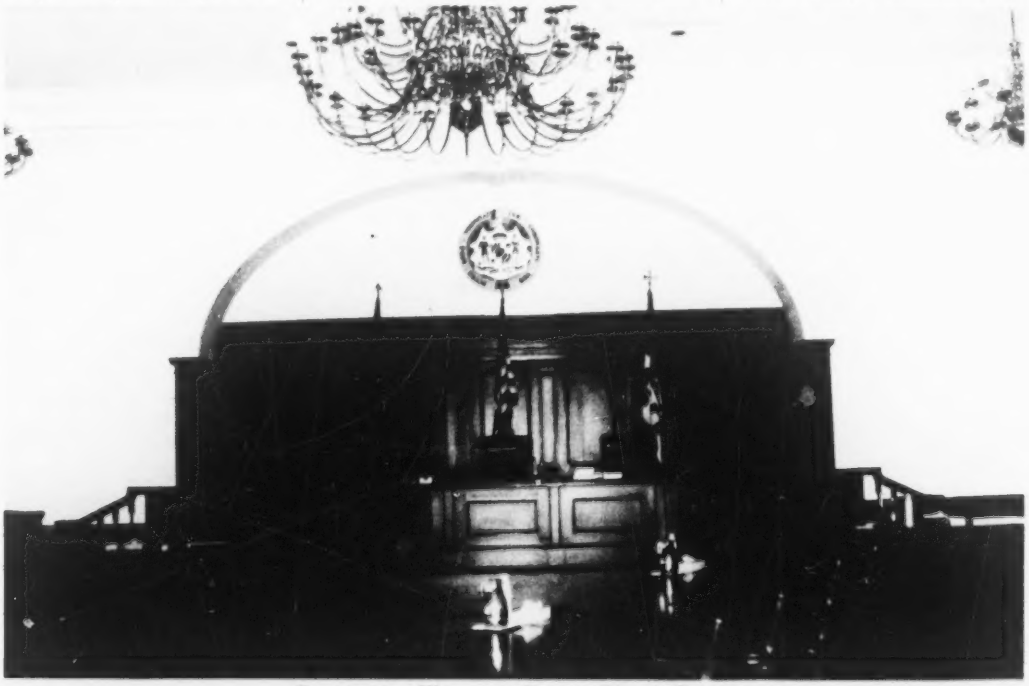
The Commission on Judicial Disabilities serves the public in a variety of ways. Its primary function is to receive, investigate and hear complaints against members of the Maryland judiciary. Formal complaints must be in writing and notarized, but no particular form is required. In addition, numerous individuals either write or call expressing dissatisfaction concerning the outcome of a case, or some judicial ruling. while some of these complaints may not fall technically within the Commission's jurisdiction, the complainants are afforded an opportunity to express their feelings and frequently are informed, for the very first time, of their right of appeal. Thus the Commission in an informal fashion offers an ancillary, though vital, service to members of the public.

During the past year, the Commission considered thirty-four formal complaints—of which two were initiated by other judges, five by practicing attorneys, two by the Commission acting on its own motion and the remainder by members of the public. Some complaints were directed simultaneously against more than one judge and sometimes a single jurist was the subject of numerous complaints. In all, nineteen judges at the Circuit Court level, eleven District Court judges, and one Orphans' Court judge were the subjects of complaints.

This year, litigation over some domestic matter (divorce, alimony, custody) precipitated some six complaints, criminal cases accounted for seven, and the remainder resulted from conventional civil litigation or the alleged prejudice or improper demeanor of some jurist.

The Commission deals with formal complaints in a variety of ways. Tapes or transcripts of judicial hearings are often obtained. When pertinent, attorneys and other disinterested parties who participated in the hearings are interviewed. Sometimes, as part of its preliminary investigation, the Commission will request a judge to appear before it.

During the past year, six judges were requested to appear before the Commission to defend



Courtroom - Worcester County Circuit Court

charges against them. Those complaints were usually disposed of by way of discussion with the jurist involved or by a private warning. One judge, however, was directed to make a formal apology to a party aggrieved by irresponsible conduct. A second judge resigned during the course of the Commission's investigation. Several formal complaints remain open awaiting plenary hearings. In most instances, however, complaints were not serious enough to warrant personal appearances by judges. The charges were dismissed preliminarily either because the accusations leveled were not substantiated or because, in Commission members' view, the conduct did not amount to a breach of judicial ethics.

Finally, pursuant to Rule 1227 of the Maryland Rules, the Commission serves yet another function. It supplies judicial nominating commissions with confidential information concerning reprimands to or pending charges against those judges seeking nomination to judicial offices.

The Commission meets as a body approximately once a month, depending upon the press of business. Its seven members from around the State are appointed by the Governor and include four judges presently serving on the bench, two members of the bar for at least fifteen years, and one lay person representing the general public.

1993 Legislation Affecting the Courts

1993 Legislation Affecting the Courts

This summary touches on some of the measures enacted or killed during the regular 1993 legislative session. A more detailed analysis may be obtained from the Administrative Office of the Courts.

Judges

New Judgeships

The General Assembly struggled with budgetary constraints, as in the past several years. Thus, while the Judicial Conference documented the need for, and requested, 10 circuit court judgeships and 1 District Court judgeship, Ch. 125 authorizes 1 new resident circuit court judge each in Baltimore City and Calvert County, as of July 1, 1993. The FY 94 operating budget (Ch. 8) includes 9 months' funding for these judgeships. Also, Ch. 125 authorizes 1 additional resident circuit court judge each in Cecil and Frederick Counties, but not until January 1, 1995.

Recalled Judges

The Judicial Conference also had sought to modify the law on recall of a judge, to increase the period of recall to 220 days and to allow a recalled judge to hear a case similar or connected to another case heard by the judge. This legislation was killed in favor of a measure, introduced by the Speaker, which would have removed the time limits on recall entirely. This measure died in the Senate. The General Assembly did recognize, however, the important contributions of recalled judges. Ch. 224 creates, from June 1, 1993 through October 1, 1994, a Judicial Assistance Fund to pay recalled judges, funded through the surcharge under Ch. 204 (described under Costs, Fees, and Fines, below).

Pensions

Ch. 430 requires payment of a pension allowance to minor children on the death of a judge with no surviving spouse. Ch. 430 also allows a judge who, at retirement, has neither a spouse nor minor children, to opt for payment of benefits to a designated beneficiary. Ch. 232 makes a Wicomico County orphans' court judge eligible for a pension after 12 years in office.

Election Reports

Ch. 363 requires circuit court judges, and other officials, to file certain reports on contributions and expenditures with a local election board, as well as the State Administrative Board of Election Laws.

Appointing Authority

A Judicial Conference bill, Ch. 263, calls for property review board members to be appointed by the circuit court judges for the particular county for which the board is appointed, rather than the entire judicial circuit. Ch. 574 requires the Charles County Administrative Judge to nominate 2 of the 5 ethics commission members.

Court Administration

Court Clerks

The clerks of the circuit courts recommended, and the Judicial Conference endorsed, introduction of a number of bills to relieve the clerks of nonjudicial functions that are duplicative of or more appropriately assigned to other agencies. Four of those measures were signed into law, including Ch. 264, which discontinues the duty to file fidelity bonds with the clerks as well as the Comptroller. Ch. 265 discontinues recordation of charter records, other than those affecting land records, with the clerks. All charter records still would be filed with the Department of Assessments and Taxation.

Ch. 266 transfers from the clerks to the Secretary of State responsibility for registering marks for returnable containers and laundered articles. Ch. 594 transfers, from clerks to local officials, responsibility for issuing alcoholic beverage licenses and collecting fees. Ch. 594 directly affects Baltimore City and Baltimore, Calvert, Dorchester, Frederick, Kent, Queen Anne's, Talbot, and Washington Counties and codifies the practice in a number of other counties.

Costs, Fees, and Fines

The $5 surcharge, imposed under previous budget reconciliation acts, is continued by Ch. 204 for all criminal cases except nonincarcerable vehicle offenses. Waiver of costs is limited to indi-

gence but, unlike earlier reconciliation acts, Ch. 204 does not require the Division of Correction to collect waived costs a requirement that is being challenged in federal court. As noted, this money will be used to pay recalled judges.

Other special fund measures include: Ch. 224, which includes incarcerable transportation violations in the offenses subject to the surcharge for the Criminal Injuries Compensation and Victims of Crimes Funds; Ch. 296, which creates a fund from fines and penalties for lead-paint abatement accreditation violations; and Ch. 153, which allots to the library fund part of the fines imposed by the Queen Anne's County Circuit Court.

Ch. 240 authorizes refunds of overpaid recording fees.

Ch. 600 adds references to the federal Americans with Disabilities Act in provisions otherwise enabling a court or agency to assess costs of interpreters.

Personnel

The State Personnel and Pensions Article recodifies Article 64A and other personnel laws (Chs. 10 and 20), with the pension laws to be added during the 1994 Session. The revision process raised a number of questions about the authority of the Secretary of Personnel over legislative and judicial branch employees in light of separation of powers issues. Ch. 357 resolves these ambiguities by clarifying that the Secretary has no power as to legislative or judicial overtime, shift differentials, holidays, or other matters.

Chs. 479 and 535 are duplicate measures that entitle a retiree with at least 25 years' State service, or a surviving spouse or dependent child, to the State subsidy for health benefits. Ch. 433 alters the retirement allowances of certain former chancery and juvenile masters.

Criminal Law

Substantive Crimes

Among the new crimes are: the felonies of carjacking and armed carjacking, which also are made aggravating circumstances for death penalty purposes and violent crimes for mandatory sentencing, parole and handgun purchasing (Ch. 69); stalking (Chs. 205/206); misdemeanors for coercive acts against victims and witnesses (Ch. 223); a felony for importing into Maryland fentanyl or an analogue (Ch. 215); a misdemeanor for patient referral by a health care practitioner to a facility in which the practitioner has a direct or attributable interest or compensation arrangement (Ch. 376); and misdemeanors for stopping, standing, or parking in loading zones for individuals with disabilities (Ch. 409).

Ch. 228 alters substantively and nonsubstantively the laws on arson and burning.

In connection with drug and alcohol related driving offenses: Ch. 407 expands the advice to be given about sanctions for refusal to be tested; Ch. 609 allows 2 hours for retraction of a refusal and bars use of a withdrawn refusal for purposes of suspension or revocation of a driver's license; and Ch. 308 requires the Motor Vehicle Administration to restrict driving privileges for any combination of 2 or more convictions.

Pretrial Release

Ch. 247 bars release, by a District Court commissioner, of an individual charged with a crime of violence while on mandatory supervision, parole, or probation for such a crime and limits release by a judge by creating rebuttable presumptions of danger and flight. See also Chs. 205/206, as to pretrial release of alleged stalkers.

Victims

Ch. 421 enables a crime victim, or family representative, to file an application for leave to appeal from a final or interlocutory order denying or failing to consider a right guaranteed under Article 27, § 620 (presence at trial), Article 27, § 643D (addressing sentencing judge or jury) or Article 41, § 4-609 (victim impact statement). The consent of all parties is needed to stay criminal proceedings.

Law Enforcement

The General Assembly considered a number of measures affecting extraterritorial authority of officers. Ch. 295 enables an officer to take custody of an individual arrested in one jurisdiction, so as to bring the individual before a District Court commissioner in the officer's jurisdiction. To address a concern of the Judicial Conference, Ch. 295 was amended to say that the time for presentment before a judicial officer is not affected.

Ch. 70 allows certain federal officers to serve warrants and expands the circumstances in which they may make arrests.

Ch. 71 gives officers extrajurisdictional authority in joint operations, while rendering assistance, on request of another officer, or during an emergency, subject to regulations of the employing agency and notice requirements and except as to vehicle law offenses.

Ch. 598 allows court orders for interception of paging devices.

Family and Domestic Relations

Family Division

Ch. 198 is the considerably amended version of the Governor's bills seeking a separate family court, redrawn to state legislative intent that a family division be created in each circuit court where feasible; that domestic, family and juvenile matters be treated as "equally importantly as other matters, both civil and criminal"; and that judges of a division have special experience, training and understanding. Ch. 198 enables the Chief Judge of the Court of Appeals to create a division after consultation with a county administrative judge, to assign certain matters to the division, and to continue the use of domestic relations masters. A county administrative judge would assign appropriate staff and resources to a division. A family division judge would devote full time "[u]nless the administration of justice requires otherwise". In accordance with the directives of Ch. 198, the Chief Judge has formed an ad hoc committee, to review the reports that resulted in Ch. 198, so as to develop an implementation plan for a division where feasible, after consideration of all operational aspects, including cost.

Adoptions

Ch. 469 is a Judicial Conference measure that bars entry of a final decree for guardianship of a child with the right to consent to adoption or long-term care short of adoption until at least 15 days after the birth of the child.

Ch. 395 specifies certain actions that will constitute reasonable, good faith efforts by a department of social services to give notice of an adoption or guardianship to a parent and deems a nonresponse a negative response.

Ch. 231 simplifies access to medical information in court or agency records and allows a court, after a hearing, to appoint an intermediary to get urgently needed medical information not included in those records.

Domestic Violence

An ad hoc committee of the Judicial Conference, formed to implement the sweeping domestic violence legislation adopted last year, had recommended a number of clarifications and refinements, but the General Assembly defeated the Judicial Conference measures.

Local legislation to increase funding for domestic violence programs, through higher marriage license fees, is authorized for Anne Arundel, Cecil, Charles, Frederick, Harford, and Prince George's Counties (Chs. 109, 111, 572, 511, 468, and 585, respectively).

Health Care

The General Assembly considered 3 sets of bills, including Judicial Conference measures, to replace the extant law on health-care decisions. The enacted measure, Ch. 372, has comprehensive procedures for advance directives on providing, withholding, or withdrawing care, for designating agents, and for choosing surrogate decision-makers absent an agent and delineating their powers, requires expedited judicial review, and defines substituted judgment or best interests standards.

Ch. 275 seeks to facilitate immunization of children by allowing a primary care-giver to delegate authority to consent and by allowing consent by *inter alia* a court with jurisdiction over a suit affecting the parent-child relationship or the Department of Juvenile Services as to minors in its custody.

Paternity

Ch. 197 creates a rebuttable presumption of paternity based on a standard, sworn affidavit and requires hospitals to provide information to unwed mothers.

Support

Ch. 366 requires, rather than allows, an award of child support from filing as to an initial pleading, absent an inequitable result, and allows as to other pleadings.

Ch. 197 requires court-ordered service of an earnings withholding order on its effective date, regardless of arrearages and absent good cause or a written agreement. The Child Support Enforcement Administration must inform requesting consumer reporting agencies about arrearages on orders enforced by the Administration or local units, after notice to obligors.

Ch. 285 requires certain health policies to offer coverage for unmarried, dependent grandchildren of whom an insured has court-ordered custody. Ch. 297 allows *pendente lite* allocation of health insurance costs under a group contract or continuation or reinstatement of benefits.

Ch. 514 requires a court, absent good cause, to award counsel fees and costs and, in some cases, suit money, against a party who, without substantial justification, brings or defends certain proceedings in connection with alimony, custody, support, or visitation.

Ch. 195 makes local child-support offices and law enforcement agencies responsible for keeping current information on support related warrants and

body attachments in the Maryland Interagency Law Enforcement System.

Visitation

Ch. 252 allows a petition for visitation of a grandchild, without termination of a marriage.

See also Ch. 514 as to counsel fees, costs, and suit money in connection with custody or visitation proceedings.

Subcabinet on Children

Ch. 556 charges a subcabinet, comprised of the Secretaries of Budget and Fiscal Planning, Health and Mental Hygiene, Human Resources, and Juvenile Services, the State Superintendent of Schools, and the Director of the Office for Individuals with Disabilities, with implementing a family preservation plan. Each county is to have an interagency coordinating council in connection with local early intervention systems.

Juveniles

Ch. 599 alters the right to representation by the Public Defender in certain CINA cases and eliminates the need for a motion as to complexity necessitating counsel.

Through the budget of the Department of Juvenile Services, money has been allocated for juvenile facilities in Baltimore City.

Civil

Jurisdiction

The jurisdiction of the District Court is expanded by: Ch. 313, which confers exclusive original jurisdiction over violations of commissioner-county public local laws for which civil penalties are authorized; Ch. 362, which confers jurisdiction as to all code violations for which equitable relief is provided and creates an exception to the bar against deciding ownership of real property; and Ch. 499, which makes $20,000 the jurisdictional limit in forfeiture proceedings for gambling or drug money.

In altering the statutes on wholesale sales representatives, Ch. 291 confers personal jurisdiction over a principal who contracts with a representative to solicit business in Maryland.

New Actions

Among legislation authorizing new actions is Ch. 578, which allows employee suits for unpaid wages. It also allows an award of counsel fees and costs in a wage action by the Commissioner of Labor and Industry. Ch. 591 allows actions by fire companies to recover hazardous cleanup costs.

Immunity

Ch. 72 caps the liability of community service providers for acts or omissions of *inter alia* offenders.

Ch. 9, as amended by Ch. 385, allows an award against a health care provider only if the care fails to meet the standards of practice among members of the same profession with similar training and experience and located in similar communities.

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Definitions

Adoption, Guardianship

This includes all adoptions and guardianships including regular adoptions, guardianship with right to adoption, and guardianship with right to consent to long-term care short of adoption. Guardianship of incompetents are reported in "Other General".

Adult

A person who is 18 years old or older charged with an offense relating to juveniles to be heard in Juvenile Court. (See § 3-831 of Courts and Judicial Proceedings Article.)

Appeal

The resorting to a higher court to review, rehear, or retry a decision of a tribunal below. This includes appeals to the circuit court, the Court of Special Appeals, and the Court of Appeals.

Appeals to the circuit courts include:

1. Record—The judge's review of a written or electronic recording of the proceedings in the District Court.
2. De Novo—The retrial of an entire case initially tried in the District Court.
3. Administrative Agency—Appeals from decisions rendered by administrative agencies. For example:
   - Department of Personnel
   - County Commissioner
   - Department of Taxation and Assessments
   - Employment Security
   - Funeral Director
   - Liquor License Commissioners
   - Physical Therapy
   - State Comptroller (Sales Tax, etc.)
   - State Motor Vehicle Authority
   - Supervisors of Elections
   - Workmen's Compensation Commission
   - Zoning Appeals
   - Any other administrative body from which an appeal is authorized.

Application for Leave to Appeal

Procedural method by which a petitioner seeks leave of the Court of Special Appeals to grant an appeal. When it is granted, the matter addressed is transferred to the direct appeal docket of the Court for customary briefing and argument. Maryland statutes and Rules of Procedure permit applications in matters dealing with post conviction, inmate grievances, appeals from final judgment following guilty pleas, and denial of or grant of excessive bail in habeas corpus proceedings.

Case

A matter having a unique docket number; includes original and reopened (post judgment) matters.

Caseload

The total number of cases filed or pending with a court during a specific period of time. Cases may include all categories of matters (law, equity, juvenile, and criminal). Note: After July 1, 1984, law and equity were merged into a new civil category.

C.I.N.A. (Child in Need of Assistance)

Refers to a child who needs the assistance of the court because:

1. The child is mentally handicapped or
2. Is not receiving ordinary and proper care and attention, and
3. The parents, guardian, or custodian are unable or unwilling to give proper care and attention.

C.I.N.S. (Child in Need of Supervision)

Refers to a child who requires guidance, treatment, or rehabilitation because of habitual truancy, ungovernableness, or behavior that would endanger himself or others. Also included in this category is the commission of an offense applicable only to children.

Condemnation

The process by which property of a private owner is taken for public use without the owner's consent but upon the award and payment of just compensation.

Contested Confessed Judgment

The act of a debtor in permitting judgment to be entered by a creditor immediately upon filing of a written statement by the creditor to the court.

Contracts

A case involving a dispute over oral or written agreements between two or more parties.

Breaches of verbal or written contracts.

Landlord/tenant appeals from District Court.

Delinquency

Commission of an act by a juvenile which would be a crime if committed by an adult.

Disposition

Entry of final judgement in a case.

District Court—Contested

Only applies to civil, a case that has gone to trial and both parties (plaintiff and defendant) appear.

District Court Criminal Case

Single defendant charged per single incident. It may include multiple charges arising from the same incident.

District Court Filing

The initiation of a civil action or case in the District Court. District Court criminal and motor vehicle cases are reported as "processed" rather than as "filed".

Divorce, Nullity

A proceeding to dissolve a marriage. Original filings under this category include divorce a vinculo matrimonii, divorce a mensa et thoro, and annulment. A reopened case under this category includes hearings held after final decree or other termination in the original case. A reopened case may involve review of matters other than the divorce itself as long as the original case was a divorce. (Examples of the latter may be a contempt proceeding for nonpayment of support, noncompliance with custody agreement, modification of support, custody, etc.)

Docket

Formal record of court proceedings.

Filing

Formal commencement of a judicial proceeding by submitting the necessary papers pertaining to it. Original filing under one docket number and subsequent reopenings under the same number are counted as separate filings.

Fiscal Year

The period of time from July 1 of one year through June 30 of the next. For example: July 1, 1991 to June 30, 1992.

Hearings

- Criminal—Any activity occurring in the courtroom, or in the judge's chambers on the record and/or in the presence of a clerk, is considered a hearing, except trials or any hearing that does not involve a defendant.

Examples of Hearings in Criminal
- — Arraignment
- — Discovery motion
- — Guilty plea
- — Motion to quash
- — Motion to dismiss
- — Motion for change of venue
- — Motion to continue
- — Motion to suppress
- — Motion to sever
- — Nolo contendere
- — Not guilty with agreed statement of facts
- — Sentence modifications
- — Violation of probation

- Civil—A presentation either before a judge or before a master empowered to make recommendations, on the record or in the presence of a clerk or court reporter, for purposes other than final determination of the facts of the case. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Civil
- — Motion to compel an answer to an interrogatory
- — Motion ne recipiatur
- — Motion for judgment by default
- — Demurrer
- — Motion for summary judgment
- — Motion to vacate, open, or modify confession of judgment
- — Preliminary motions presented in court, including motions for continuance
- — Determination of alimony pendente lite, temporary custody, etc., in a divorce case
- — Contempt or modification hearings

- Juvenile—A presentation before a judge, master, or examiner on the record in the presence of a clerk or court reporter. Electronic recording equipment, for definition purposes, is the equivalent to the presence of a court reporter.

Examples of Hearings in Juvenile
- — Preliminary motions presented in court
- — Arraignment or preliminary inquiry
- — Detention (if after filing of petition)
- — Merits or adjudication
- — Disposition
- — Restitution

- Waiver
- Review
- Violation of probation

Indictment

The product of a grand jury proceeding against an individual.

Information

Written accusation of a crime prepared by the State's Attorney's Office.

Jury Trial Prayer-Motor Vehicle

A request for trial by jury in the circuit court for a traffic charge normally heard in the District Court. To pray a jury trial in a motor vehicle case, the sentence must be for more than six months.

Jury Trial Prayer-Other (Criminal)

A request for a trial by jury in the circuit court for charges normally heard in the District Court, except traffic charges or nonsupport.

Miscellaneous Docket

Established and maintained primarily as a method of recording and identifying those preliminary proceedings or collateral matters before the Court of Appeals other than direct appeals.

Motor Torts

Personal injury and property damage cases resulting from automobile accidents. (This does not include boats, lawn mowers, etc., nor does it include consent cases settled out of court.)

Motor Vehicle Appeals

An appeal of a District Court verdict in a traffic charge.

Nolle Prosequi

A formal entry upon the record by the plaintiff in a civil suit, or the State's Attorney in a criminal case, to no longer prosecute the case.

Nonsupport

A criminal case involving the charge of nonsupport.

Original Filing

See "Filing."

Other Appeals (Criminal)

An appeal of a District Court verdict except one arising from a traffic charge or nonsupport.

Other Domestic Relations

Matters related to the family other than divorce, guardianship, adoption, or paternity. Examples of this category include support, custody, and U.R.E.S.A. cases.

Other Civil/Other Equity

This category includes, among other things, injunctions, change of name, foreclosure, and guardianship of incompetent persons.

Other Law

This category includes, among other things, conversion, detinue, ejectment, issues from Orphans' Court, attachments on original process, and mandamus.

Other Torts

Personal injury and property damage cases resulting from:

- Assault and battery—an unlawful force to inflict bodily injury upon another.
- Certain attachments.
- Consent tort.
- False imprisonment—the plaintiff is confined within boundaries fixed by the defendant for some period of time.
- Libel and slander—a defamation of character.
- Malicious prosecution—without just cause an injury was done to somebody through the means of a legal court proceeding.
- Negligence—any conduct falling below the standards established by law for the protection of others from unreasonable risk of harm.

Paternity

A suit to determine fatherhood responsibility of a child born out of wedlock.

Pending Case

Case in which no final disposition has occurred.

Post Conviction

Proceeding instituted to set aside a conviction or to correct a sentence that was unlawfully imposed.

Reopened Filing

The first hearing held on a case after a final judgment on the original matters has been entered.

Stet

Proceedings, are stayed; one of the ways a case may be terminated.

Termination

Same as "Disposition."

Trials

- Criminal
  - Court Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant where one or more witnesses has been sworn.
  - Jury Trial—A contested hearing on the facts of the case to decide the guilt or innocence of the defendant, where the jury has been sworn.
- Civil
  - Court Trial—A contested hearing on any one or all merits of the case, presided over by a judge, to decide in favor of either party where testimony is given by one or more persons. Note: "Merits" is defined as all pleadings prayed by the plaintiff in the original petition that created the case. Divorce, custody, child support, etc., are examples that might be considered merits in a civil case.
  - Jury Trial—A contested hearing on the facts of the case to decide in favor of either party where the jury has been sworn.

Unreported Category

A case that has been reported but not specifically identified as to case type by the reporting court.

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